



**THE STATES assembled on Tuesday
8th October 2019, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir William James Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshall Sir Stephen Dalton, G.C.B., LL.D. (Hon.), D.Sc. (Hon.), B.Sc., F.R.Ae.S.,
C.C.M.I. was present.**

All members were present at roll call with the exception of –

Deputy Jeremy Martin Maçon of St. Saviour – en défaut
Deputy Russell Labey of St. Helier – en défaut (défaut raised at 10.05 a.m.)
Deputy Inna Gardiner of St. Helier – absent on States business

Prayers

Two-year review of the Independent Jersey Care Inquiry – communication by the Presiding Officer

The Bailiff provided the following communication to the Assembly in respect of the two-year review of the Independent Jersey Care Inquiry –

“Communications from the Presiding Officer under Part A of Standing Orders often seem to me to be a bit like notices which the Dean might give on a Sunday service: the Bishop’s doing confirmation on a particular day, or there is a special service at 4.00 p.m., or something like that. But the purpose of the Standing Order is to enable the Presiding Officer to share information with Members and while, on this last occasion, I would really have preferred to avoid controversy, the timing of the publication of the last report of the Independent Care Inquiry is such that I had to do so today, if I am to defend the Office of Bailiff, which I hold. I think it is my duty to defend it from unfair criticism and I am doing so now, in this place, as a courtesy to Members.

With a focus solely on the role of the Bailiff, I want to comment on the recent report the Inquiry has published. The report in 2017 included a recommendation that consideration should be given to removing the Bailiff’s dual role. This was a surprising recommendation, because it was outside the terms of reference of the Inquiry, which the Panel itself recognised. However, the criticism of the Panel for that recommendation is more substantial than simply a technical one that it was outside their terms of reference. The Inquiry took not a scrap of evidence from any of the local witnesses, who might be thought to know something about the Island’s constitution and the way in which the dual role was managed. Instead, it merely arrived in the Island with what looks very much like preconceived notions and prejudices as to what a proper constitution should look like. It accepted, unquestioningly, the complaints of the present system, often expressed by those who had no real knowledge of how it worked. Members may understand perhaps, therefore, why I take the view that bad as the Inquiry’s recommendation number 7 was in July 2017, the most recent report, presented only 2 weeks, or so, ago, is even worse. I do not think the following summary of what the Panel set out in paragraphs 69 to 74 of its report is unfair, although, of course, it is my summary. It is said that there is a strongly perceived “Jersey way” in the Island. The Inquiry describes, at paragraph 69, how the expression was most commonly used: “As a shorthand to describe a lack of transparency and fairness in decision-making, a reluctance to challenge the *status quo* and an absence of redress for those who suffered what were considered to be injustices”. At paragraph 71, there is a further statement that there is still a strongly perceived “Jersey way” in the Island. At paragraph 72, the Panel

describes how decision-making processes should be clear, consistent and demonstrably impartial. By implication, currently, they are not. At paragraph 73, the Panel moves seamlessly on to say that the role of the Bailiff needs attention, because retaining the current arrangements is a further indication of a failure to recognise the importance of these systems having evident impartiality and transparency at their heart. At paragraph 74, the Panel then returns to the need to avoid a further perception of there being a “Jersey way”.

There is an assumption by the Panel that the perceived lack of separation between the judicial and legislative, or executive, powers, in other words, the office of the Bailiff, is part of this alleged culture of cover-up, unfair decision-taking and decision-making in secret. The juxtaposition of these paragraphs bears no other reasonable interpretation. I cannot accept that a lawyer, of the Chairman’s experience, would inadvertently have drafted such an unfortunate juxtaposition of words. I am sure that the way in which Jersey receives her Panel’s report matters greatly to her. Her linkage of the allegations of lack of fairness and transparency in decision-taking by the Bailiff to historic child abuse was a grave error. I reject that linkage and the underlying assumptions absolutely. The Inquiry had no basis for saying it and it is not true. There are respectable arguments that can be advanced for changing the present role of the Bailiff, not that I agree with them, but this one is not.

The Inquiry has spoken publicly, and I have not done so to date, but before I leave office, I think I owe a duty both to Members and to the public to say what I think of this last report. It is a particularly egregious recommendation for me personally, because, on the one hand, the Inquiry absolves the Law Officers’ Department generally – and me – in respect of any cover-up, or impropriety, in relation to the child abuse investigations and prosecutions in 2008 and 2010; and, on the other, asserts that there is a perception of impropriety in the Office which I now hold. Can I just focus Members’ attention on paragraph 71 of the recent report? The Inquiry say this: “We do not consider that this [the ‘Jersey way’] is by any manner a simple issue to deal with, since much is based on perception, rather than tangible evidence.”. Let me put that another way. The Inquiry was saying that it had no tangible evidence of a “Jersey way” which represented decision-taking behind closed doors, a lack of transparency, or a lack of fairness in decision-making. It was right in that respect. It had no evidence to justify those conclusions as to a Jersey way of doing things. But, unfortunately, that lack of evidence did not act as a constraint. Instead, the Inquiry makes the comments and recommendations it does based on the perceptions and assertions from a few former politicians and a disaffected senior police officer, which, undoubtedly, affected those who suffered abuse.

The Inquiry had every opportunity to test its views and indeed the evidence of the abused victims and others, which it did here, by asking questions of other politicians, including the Chief Minister and his predecessors, or other leading politicians of the time, or of the Bailiff, or the Deputy Bailiff, or the Law Officers, or former Bailiffs. It did not do so. Regrettably, that suggests the Inquiry was not interested in receiving answers which might contradict the assumptions which it brought with it in this connection. That was true in 2017 and it remains true of the last visit. Now, of course, I could have addressed the Inquiry myself, although I rather assumed that the Inquiry would have been aware of my letter to the former Chief Minister in the summer of 2017, immediately after the publication of the July report to defend my office against recommendation 7 in that report.

Equally, however, the Inquiry could have asked questions on this occasion. It is not obvious that it did so, and it certainly did not do so of me. In being critical of the Inquiry, I want to make one thing absolutely clear: there is a world of difference between criticising the Inquiry and its report and criticising those who suffered abuse. The abuse, which many victims spoke of to the Inquiry, was real and appalling. I condemn it and every right-thinking person condemns it. The failures in the administration at the time, whether at civil service, or political level, were failures from which the Island needs to learn and there is no doubt about that. However, as I said, the focus of my words today is solely on my Office. It is important that none of us merely adopt the entirety of what is, in some ways, a flawed report, simply because the substance of the abuse, which was put to the Panel and on which they did have evidence, was as bad as it was.”

Subordinate enactments tabled

The following enactments were tabled, namely –

Cycle Tracks (Amendment No. 4) (Jersey) Order 2019. <i>Minister for Infrastructure.</i>	R&O.85/2019.
Police Procedures and Criminal Evidence (Codes of Practice) (Amendment No. 4) (Jersey) Order 2019. <i>Minister for Home Affairs.</i>	R&O.86/2019.
Economic Development, Tourism, Sport and Culture (2020 Fees) (Jersey) Order 2019. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R&O.90/2019.
Service of Process Rules 2019. <i>Superior Number of the Royal Court.</i>	R&O.91/2019.
Taking of Evidence Rules 2019. <i>Superior Number of the Royal Court.</i>	R&O.92/2019.
Royal Court (Amendment No. 24) Rules 2019. <i>Superior Number of the Royal Court.</i>	R&O.93/2019.
Royal Court (Amendment No. 25) Rules 2019. <i>Superior Number of the Royal Court.</i>	R&O.94/2019.
Animal Health (Miscellaneous Exotic Diseases) (Amendment) (Jersey) Order 2019. <i>Minister for the Environment.</i>	R&O.95/2019.
Animal Health (Surveillance) (Amendment) (Jersey) Order 2019. <i>Minister for the Environment.</i>	R&O.96/2019.
Artificial Insemination of Domestic Animals (Bovine Semen) (Amendment No. 3) (Jersey) Order 2019. <i>Minister for the Environment.</i>	R&O.97/2019.
Animal Health (Amendment of Law) (Jersey) Order 2019. <i>Minister for the Environment.</i>	R&O.98/2019.
Aquatic Resources (Seaweed Licence Fees) (Jersey) Order 2019. <i>Minister for the Environment.</i>	R&O.99/2019.

Documents presented

States of Jersey Complaints Board: findings – complaint by Mr. T. Binet and Ms. R. Binet against the Minister for the Environment regarding the processing of Planning applications by them and the various companies in which they have significant interests. Presented: 27th September 2019. <i>Privileges and Procedures Committee.</i>	R.125/2019.
Diffuse Mesothelioma: special payments. Presented: 27th September 2019. <i>Minister for Social Security.</i>	R.126/2019.

Organisations receiving grants of over £75,000: 2018 Accounts. R.127/2019.
Presented: 7th October 2019.
Minister for Treasury and Resources.

Notification of lodged propositions

Employment (Jersey) Law 2003: review of parental leave rights amendments P.54/2019.
(P.54/2019): second amendment. Amd.(2)
Lodged: 26th September 2019.
Deputy L.M.C. Doublet of St. Saviour.

Government Plan: assessments of planned efficiency savings (P.88/2019) – P.88/2019.
amendment (P.88/2019 Amd.) – amendment. Amd.Amd.
Lodged: 1st October 2019.
Deputy G.P. Southern of St. Helier.

Government Plan: assessments of planned efficiency savings (P.88/2019) – second P.88/2019.
amendment. Amd.(2)
Lodged: 30th September 2019.
Deputy G.P. Southern of St. Helier.

States' expenditure: classification in accordance with international best practice P.94/2019.
(P.94/2019) – amendment. Amd.
Lodged: 30th September 2019.
Minister for Treasury and Resources.

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.100/2019): amendment. P.100/2019.
Lodged: 7th October 2019. Amd.
Economic and International Affairs Scrutiny Panel.

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.100/2019): second P.100/2019.
amendment. Amd.(2)
Lodged: 7th October 2019.
Connétable of St. Mary.

Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations P.106/2019.
201-.
Lodged: 1st October 2019.
Minister for the Environment.

Draft EU Legislation (Monitoring of Residues in Animals) (Jersey) Regulations 201-. P.107/2019.
Lodged: 4th October 2019.
Minister for the Environment.

States of Jersey Development Company Limited: re-appointment of Non-Executive P.108/2019.
Directors.
Lodged: 7th October 2019.
Minister for Treasury and Resources.

Education and Home Affairs Scrutiny Panel – resignation of member

THE STATES noted the resignation of the Connétable of St. Helier as a member of the Education and Home Affairs Scrutiny Panel.

Written Questions*(see Official Report/Hansard)*

- WQ.392/2019** 1. The Minister for Infrastructure tabled an answer to a question asked by Deputy I. Gardiner of St. Helier regarding Government spending on transport.
- WQ.393/2019** 2. The Chair of the States Employment Board tabled an answer to a question asked by Deputy I. Gardiner of St. Helier regarding blind recruitment policies in respect of the civil service.
- WQ.394/2019** 3. The Chair of the States Employment Board tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the recommendations of the H.R. Lounge in relation to bullying and harassment.
- WQ.395/2019** 4. The Assistant Chief Minister tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the future-proofing of I.T. projects.
- WQ.396/2019** 5. The Assistant Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the establishment of a permanent site in St. Helier for live music to be performed outdoors.
- WQ.397/2019** 6. The Chair of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the support provided to States members and to Scrutiny.
- WQ.398/2019** 7. The Chief Minister tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding a mechanism to check new policy, procedure or legislation against the potential perception of there being a 'Jersey Way'.
- WQ.399/2019** 8. The Minister for Home Affairs tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the Settled Status Scheme.
- WQ.400/2019** 9. The Chair of the States Employment Board tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding bullying and harassment procedures within the civil service.
- WQ.401/2019** 10. The Assistant Chief Minister tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding access by Government of Jersey employees to the Intranet designed for such employees.
- WQ.402/2019** 11. The Minister for Health and Social Services tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding investigations requested, and specimens provided, by primary health care providers.
- WQ.403/2019** 12. The Minister for the Environment tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the registration of dog-walkers.
- WQ.404/2019** 13. The Chair of the States Employment Board tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the number of people employed by the States of Jersey.
- WQ.405/2019** 14. The Chair of the States Employment Board tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the work undertaken by the Board in respect of succession planning.

- WQ.406/2019** 15. The Minister for Health and Social Services tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding adults placed in a place of safety in relation to their mental health.
- WQ.407/2019** 16. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the Minister's plans for funding of, and policy in relation to, the Arts in Jersey.
- WQ.408/2019** 17. The Minister for Health and Social Services tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the placement of young people in places of safety in relation to their mental health.
- WQ.409/2019** 18. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Senator S.C. Ferguson regarding the distribution of Channel Islands Lottery funds.
- WQ.410/2019** 19. The Minister for Education tabled an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the provision of school meals for primary school children.
- WQ.411/2019** 20. The Chief Minister tabled an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the maintenance of databases of Islanders' faces.
- WQ.412/2019** 21. H.M. Attorney General tabled an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the legality of maintaining databases of Islanders' faces.
- WQ.413/2019** 22. The Minister for Home Affairs tabled an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the reporting of child sexual exploitation.
- WQ.414/2019** 23. The Chief Minister tabled an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the cost of answering written questions.
- WQ.415/2019** 24. The Chief Minister tabled an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the cost of purchasing Team Jersey lanyards.
- WQ.416/2019** 25. The Minister for Infrastructure tabled an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the trial use of an electric double decker bus by LibertyBus.
- WQ.417/2019** 26. The Chief Minister tabled an answer to a question asked by the Connétable of St. Martin regarding the implementation of OneGov proposals.
- WQ.418/2019** 27. The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. John regarding the recruitment of staff by Third Sector health and social care providers.
- WQ.419/2019** 28. The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. John regarding mental health practitioners with specialist training to deal with the effects of trauma.
- WQ.420/2019** 29. The Chief Minister tabled an answer to a question asked by the Connétable of St. Martin regarding the distinction between the States of Jersey and the Government of Jersey.
- WQ.421/2019** 30. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S.M. Ahier of St. Helier regarding tax revenue yield through investment in domestic compliance.

- WQ.422/2019** 31. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding efficiency savings to be achieved in 2020.
- WQ.423/2019** 32. The Minister for the Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the prospective reversal of decisions taken by the Planning Committee.
- WQ.424/2019** 33. The Chair of the Planning Committee tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Committee's relationship with planning officers.
- WQ.425/2019** 34. The Minister for the Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding enforcement notices.
- WQ.426/2019** 35. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the use of police cameras.
- WQ.427/2019** 36. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the removal of clothing from people detained in police cells.

The Bailiff, in accordance with Standing Order 12(4)(b), ruled that the answer tabled by the Minister for Education to the question asked by Deputy Jessica Harriet Perchard of St. Saviour (WQ.410/2019) contravened Standing Order 12(2A), and directed the Minister to submit an answer that did not contravene the Standing Order.

Oral Questions

(see Official Report/Hansard)

- OQ.227/2019** 1. The Connétable of St. Martin asked a question of the Minister for Health and Social Services regarding the creation of 'health hubs' around the Island to help reduce the number of hospital admissions.
- OQ.240/2019** 2. Deputy G.P. Southern of St. Helier asked a question of the Minister for Education regarding the impact of the Target Operating Model and efficiency savings on the library service.
- OQ.229/2019** 3. Deputy G.J. Truscott of St. Brelade asked a question of the Assistant Chief Minister regarding the size of the future hospital.
- OQ.234/2019** 4. Deputy J.H. Perchard of St. Saviour asked a question of the Assistant Chief Minister regarding the diversity of boards appointed by the States.
- OQ.226/2019** 5. Deputy K.F. Morel of St. Lawrence asked a question of the Minister for External Relations regarding the Guide to Preparing for Brexit.
- OQ.241/2019** 6. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Home Affairs regarding the policies and practices applied to the registration and administration of key life events.
- OQ.244/2019** 7. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding an external peer-review of the States of Jersey Police.
- OQ.246/2019** 8. Deputy M. Tadier of St. Brelade asked a question of the Minister for Children and Housing regarding the impact of residency rules on children in the Island.

- OQ.230/2019** 9. Deputy K.G. Pamplin of St. Saviour asked a question of the Chief Minister regarding cost statements included in the responses to States members' written questions.
- OQ.232/2019** 10. Deputy S.M. Ahier of St. Helier asked a question of the Minister for Health and Social Services regarding the facilities available to ex-servicemen and women suffering from Post-Traumatic Stress Disorder.
- OQ.236/2019** 11. The Connétable of St. Helier asked a question of the Minister for the Environment regarding the Future St. Helier Group.
- OQ.233/2019** 12. Senator S.C. Ferguson asked a question of the Minister for Education regarding the procurement of computers by the Island's schools.
- OQ.248/2019** 13. Deputy C.S. Alves of St. Helier asked a question of the Minister for Treasury and Resources regarding the charging of G.S.T. by online retailers based outside of Jersey.
- OQ.238/2019** 14. Deputy R.J. Ward of St. Helier asked a question of the Vice-Chair of the States Employment Board regarding the provision of facility time within the public sector.
- OQ.237/2019** 15. The Connétable of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the recruitment problems facing the retail and hospitality sectors.
- OQ.228/2019** 16. The Connétable of St. Martin asked a question of the Minister for Home Affairs regarding the vetting of officers and staff of the States of Jersey Police and the Fire and Rescue Service.
- OQ.235/2019** 17. Deputy J.H. Perchard of St. Saviour asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the inclusion of the value of unpaid work in models of economic measurement.
- OQ.242/2019** 18. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Children and Housing regarding universal access to child health care.
- OQ.247/2019** 19. Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the potential impact of residency requirements on women in abusive relationships.
- OQ.231/2019** 20. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Health and Social Services regarding a facility to provide a place of safety for Islanders in relation to their mental health.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Health and Social Services answered questions without notice from members.

The Minister for Education answered questions without notice from members.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Minister for the Environment, agreed, in accordance with Standing Order 80, to suspend Standing Order 32 in order for the Draft EU Legislation (Monitoring of Residues in Animals) (Jersey) Regulations 201- to be listed at the present meeting; and further agreed, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the Draft Regulations in order that they might be debated at the present meeting.

States of Jersey employees: Breastfeeding policy P.79/2019

THE STATES noted that, in accordance with Standing Order 34(1), Deputy Louise Mary Catherine Doublet of St. Saviour had informed the Greffier of the States that her proposition entitled ‘States of Jersey employees: Breastfeeding policy’ (P.79/2019) was to be withdrawn.

Draft Charities (Transitional Provisions) (Amendment) (Jersey) Regulations 201- P.80/2019

THE STATES commenced consideration of the Draft Charities (Transitional Provisions) (Amendment) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES made Regulations entitled the Charities (Transitional Provisions) (Amendment) (Jersey) Regulations 2019 under Article 40 of the Charities (Jersey) Law 2014.

Draft Health Care (Registration) (No. 5) (Jersey) Regulations 201- P.83/2019

THE STATES commenced consideration of the Draft Health Care (Registration) (No. 5) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES made Regulations entitled the Health Care (Registration) (No. 5) (Jersey) Regulations 2019 under Article 17 of the Health Care (Registration) (Jersey) Law 1995.

Members present voted as follows –

POUR: 40**CONTRE: 0****ABSTAIN: 0**

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville

Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

Draft Electronic Communications (Amendment of Law) (Jersey) Regulations 201- P.86/2019

THE STATES commenced consideration of the Draft Electronic Communications (Amendment of Law) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 5.

THE STATES made Regulations entitled the Electronic Communications (Amendment of Law) (Jersey) Regulations 2019 under Article 2 of the Electronic Communications (Jersey) Law 2000.

Members present voted as follows –

POUR: 42

CONTRE: 0

ABSTAIN: 0

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)

Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Minister for the Environment, agreed, in accordance with Standing Order 87(2)(a), that it would consider the Draft EU Legislation (Monitoring of Residues in Animals) (Jersey) Regulations 201- as the next item of public business.

Members present voted as follows –

POUR: 34

Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)

CONTRE: 2

Deputy M. Tadier (B)
 Deputy R.J. Ward (H)

ABSTAIN: 0

Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy K.G. Pamplin (S)

Draft EU Legislation (Monitoring of Residues in Animals) (Jersey) Regulations 201- P.107/2019

THE STATES commenced consideration of the Draft EU Legislation (Monitoring of Residues in Animals) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 42

CONTRE: 0

ABSTAIN: 0

Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 10.

THE STATES made Regulations entitled the EU Legislation (Monitoring of Residues in Animals) (Jersey) Regulations 2019 under Articles 2, 5A and 5B of the European Union Legislation (Implementation) (Jersey) Law 2014.

Members present voted as follows –

POUR: 42

CONTRE: 0

ABSTAIN: 0

Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter

Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

Government Plan: publication of the efficiencies P.90/2019

THE STATES, adopting a proposition of Deputy Kirsten Francis Morel of St. Lawrence entitled ‘Government Plan: publication of the efficiencies’ (P.90/2019), agreed that final plans for the allocation of efficiencies to departments in 2020 should be published at least 4 weeks before the start of the debate on ‘Government Plan 2020–2023’ (P.71/2019) and requested the Council of Ministers to take the necessary steps to ensure the plans were so published.

Members present voted as follows –

POUR: 41

CONTRE: 0

ABSTAIN: 0

Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity

Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

States' expenditure: classification in accordance with international best practice P.94/2019

THE STATES commenced consideration of a proposition of Deputy Robert James Ward of St. Helier entitled 'States' expenditure: classification in accordance with international best practice' (P.94/2019) and, adopting an amendment of the Minister for Treasury and Resources (P.94/2019 Amd.), agreed that for the year "2019" there should be substituted "2020" and for the year "2021" there should be substituted "2022".

THE STATES resumed consideration of the proposition of Deputy Robert James Ward of St. Helier, as amended, and, adopting the proposition, requested the Minister for Treasury and Resources, working with Statistics Jersey, to require all States' expenditure to be classified in accordance with the United Nations Classification of the Functions of Government system, so that the Annual Accounts of the States of Jersey 2020 and all subsequent government documents presenting financial information (including the Government Plan 2022) classified public spending in accordance with international best practice.

Members present voted as follows –

POUR: 43

Senator L.J. Farnham
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary

CONTRE: 2

Senator S.C. Ferguson
 Connétable of St. Brelade

ABSTAIN: 0

Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

Arrangement of public business for future meetings

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chair of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

22nd October 2019

Draft Banking Business (Depositors Compensation) (Amendment No. 2) (Jersey) Regulations 201-. Lodged: 14th August 2019. <i>Minister for External Relations.</i>	P.81/2019.
Government Plan: assessments of planned efficiency savings. Lodged: 23rd August 2019. <i>Deputy G.P. Southern of St. Helier.</i>	P.88/2019.
Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment. Lodged: 17th September 2019. <i>Chief Minister.</i>	P.88/2019. Amd.
Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment (P.88/2019 Amd.) – amendment. Lodged: 1st October 2019. <i>Deputy G.P. Southern of St. Helier.</i>	P.88/2019. Amd.Amd.
Government Plan: assessments of planned efficiency savings (P.88/2019) – second amendment. Lodged: 30th September 2019. <i>Deputy G.P. Southern of St. Helier.</i>	P.88/2019. Amd.(2)
Parish Assemblies: revised arrangements. Lodged: 2nd September 2019. <i>Senator S.Y. Mézec.</i>	P.92/2019.
Draft Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 201-. Lodged: 6th September 2019. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.93/2019.

Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No. 2) Act 201-. Lodged: 9th September 2019. <i>Minister for Home Affairs.</i>	P.95/2019.
Draft Criminal Procedure (Transitional Provisions) (Jersey) Regulations 201-. Lodged: 9th September 2019. <i>Minister for Home Affairs.</i>	P.96/2019.
Draft Criminal Procedure (Qualifying Offences) (Jersey) Regulations 201-. Lodged: 9th September 2019. <i>Minister for Home Affairs.</i>	P.97/2019.
Draft Criminal Procedure (Form of Oath) (Jersey) Regulations 201-. Lodged: 10th September 2019. <i>Minister for Home Affairs.</i>	P.98/2019.
Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Amendment) (Jersey) Regulations 201-. Lodged: 10th September 2019. <i>Chief Minister.</i>	P.99/2019.
Draft Employment (Amendment No. 11) (Jersey) Law 201-. Lodged: 10th September 2019. <i>Minister for Social Security.</i>	P.100/2019.
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.100/2019): amendment. Lodged: 7th October 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.100/2019. Amd.
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.100/2019): second amendment. Lodged: 7th October 2019. <i>Connétable of St. Mary.</i>	P.100/2019. Amd.(2)
Employment (Jersey) Law 2003: review of parental leave rights amendments. Lodged: 21st May 2019. <i>Deputy L.M.C. Doublet of St. Saviour.</i>	P.54/2019.
Employment (Jersey) Law 2003: review of parental leave rights amendments (P.54/2019) – amendment. Lodged: 11th June 2019. <i>Deputy L.M.C. Doublet of St. Saviour.</i>	P.54/2019. Amd.
Employment (Jersey) Law 2003: review of parental leave rights amendments (P.54/2019): second amendment. Lodged: 26th September 2019. <i>Deputy L.M.C. Doublet of St. Saviour.</i>	P.54/2019. Amd.(2)
<u>12th November 2019</u>	
5G Network: restrictions on use. Lodged: 2nd July 2019. <i>Senator S.C. Ferguson.</i>	P.69/2019.
States Assembly: time limits on speeches in debates. Lodged: 11th September 2019. <i>Privileges and Procedures Committee.</i>	P.101/2019.

Draft Rehabilitation of Offenders (Exceptions) (Amendment No. 2) (Jersey) Regulations 201-. P.104/2019.
Lodged: 23rd September 2019.
Minister for Home Affairs.

Channel Islands Lottery: allocation of proceeds from 2018. P.105/2019.
Lodged: 24th September 2019.
Minister for Economic Development, Tourism, Sport and Culture.

Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 201-. P.106/2019.
Lodged: 1st October 2019.
Minister for the Environment.

States of Jersey Development Company Limited: re-appointment of Non-Executive Directors. P.108/2019.
Lodged: 7th October 2019.
Minister for Treasury and Resources.

26th November 2019

Government Plan 2020–2023. P.71/2019.
Lodged: 23rd July 2019.
Council of Ministers.

10th December 2019

Public Holidays: designation of 28th September from 2021 onwards. P.102/2019.
Lodged: 16th September 2019.
Deputy M. Tadier of St. Brelade.

Bailiff of Jersey – retirement

The Chair of the Privileges and Procedures Committee referred to the impending retirement of the Bailiff of Jersey and thanked him on behalf of the States for his services to the Assembly.

The Bailiff responded and extended his best wishes to the Assembly.

Members wished the Bailiff well in his retirement in the customary manner.

THE STATES rose at 3.42 p.m.

L.-M. HART

Deputy Greffier of the States