

# THE STATES assembled on Tuesday 3rd November 2020, at 9.30 a.m. under the Presidency of the Bailiff, Timothy John Le Cocq, Esquire.

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.

C.C.M.I. was present.	
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All members were present at roll call with the exception of –	
Connétable Alan Simon Crowcroft of St. Helier – excused attendance (joined at 9.40 a.m.)	
Prayers	

## Standing Order 55A – meeting held remotely

THE STATES assembled remotely, in accordance with Standing Order 55A, as the Bailiff considered that it was not possible to convene or maintain a quorate meeting in view of a substantial risk to the health of both States Members and the public.

## Senator S.C. Ferguson – welcome back

The Bailiff, on behalf of members, welcomed Senator Sarah Craig Ferguson back to the Assembly after a period of absence through ill-health.

## **Documents presented**

Land Transactions Under Standing Order 168(3): Communicare Centre, St. Brelade – R.124/2020. 5- year lease for Les Quennevais Branch Library.

Presented: 3rd November 2020. Minister for Infrastructure.

Land Transactions Under Standing Order 168(3): Les Quennevais Sports Centre R.125/2020.

Nursery – 9-year lease. Presented: 3rd November 2020.

Minister for Infrastructure.

## **Notification of lodged propositions**

Draft Social Security (Amendment of Law No. 14) (Jersey) Regulations 202-(P.124/2020): amendment. Amd.

Lodged: 3rd November 2020. *Minister for Social Security*.

Draft Amendment (No. 51) of the Standing Orders of the States of Jersey.

P.153/2020.

Lodged: 2020.

Privileges and Procedures Committee.

Draft Amendment (No. 52) of the Standing Orders of the States of Jersey.

P.154/2020.

Lodged: 3rd November 2020.

Deputy L.M.C. Doublet of St. Saviour.

Income Support Medical Appeal Tribunal: appointment of Chair.

P.155/2020.

Lodged: 3rd November 2020. *Minister for Social Security*.

## Arrangement of public business for the present meeting

THE STATES, adopting the request of the Chair of the Children, Education and Home Affairs Scrutiny Panel, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the Panel's amendment (P.97/2020 Amd.) to the proposition of the Minister for Home Affairs entitled 'Deployment and use of Energy Conductive Devices ('Tasers') by the States of Jersey Police' (P.97/2020) in order that it might be debated at the present meeting.

Members present voted as follows –

POUR: 43 CONTRE: 0 ABSTAIN: 0

Senator L.J. Farnham

Senator S.C. Ferguson

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 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 G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

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 G.C.U. Guida (L)

Deputy of St. Peter

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)

Deputy I. Gardiner (H)

THE STATES, adopting a proposition of the Minister for Home Affairs, in accordance with Standing Order 80, agreed to suspend Standing Order 32 in order that his amendment (P.97/2020 Amd.(2)Amd.) to the amendment of the Children, Education and Home Affairs Scrutiny Panel (P.97/2020 Amd.(2)) to the proposition of the Minister for Home Affairs entitled 'Deployment and use of Energy Conductive Devices ('Tasers') by the States of Jersey Police' (P.97/2020) might be listed for consideration at the present meeting; and further agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the amendment in order that it might be debated at the present meeting.

THE STATES, adopting the request of the Deputy of St. Martin, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of his amendment (P.110/2020 Amd.) to the Draft Wildlife (Jersey) Law 202- in order that it might be debated at the present meeting.

THE STATES, adopting the request of the Chief Minister, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the proposition entitled 'Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020: Extension to Jersey by Order in Council' (P.140/2020) in order that it might be debated at the present meeting.

# Deployment and use of Energy Conductive Devices ('Tasers') by the States of Jersey Police P.97/2020

THE STATES commenced consideration of a proposition of the Minister for Home Affairs entitled 'Deployment and use of Energy Conductive Devices ('Tasers') by the States of Jersey Police' (P.97/2020) and, adopting an amendment of the Children, Education and Home Affairs Scrutiny Panel (P.97/2020 Amd.), agreed that –

after the words "States of Jersey Police Force" there should be inserted the words "for a trial period of 1 year";

the existing paragraph should be designated as paragraph 1 and, after this paragraph, there should be inserted the following paragraph –

- "2. to request the Minister for Home Affairs to review the impact of the changes to the use of Tasers on policing in Jersey after the 1-year trial period has been completed, and to report to the States on the success, or otherwise, of the trial, with the report to include data in respect of
  - (a) the number of times a Taser has been used on a person under the age of 18;
  - (b) the number of times a Taser has been used to resolve a situation involving a person undergoing a mental health crisis or episode;
  - (c) a breakdown of the gender, age, and cultural and ethnic groups of the people on whom a Taser has been used; and

(d) the number of times a Taser has been deployed by a police officer who is on their own," and

after the existing paragraph, there should be inserted the following new paragraph –

"3. to agree that the deployment and use of Tasers in accordance with the principles outlined in the proposition should not continue beyond the trial period of 1 year without the prior approval of the States Assembly.".

THE STATES, resuming consideration of the proposition of the Minister for Home Affairs, as amended, commenced consideration of an amendment of the Children, Education and Home Affairs Scrutiny Panel (P.97/2020 Amd.(2)) and, adopting an amendment of the Minister for Home Affairs P.97/2020 Amd.(2)Amd.), agreed that, in paragraph 2, after the word "must" there should be inserted the words ", wherever practicable,".

Members present voted as follows –

#### POUR: 37 CONTRE: 11 ABSTAIN: 0

Senator S.Y. Mézec

Senator I.J. Gorst
Senator L.J. Farnham
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. Helier
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of Grouville

Connétable of St. John
Deputy G.P. Southern (H)
Deputy M. Tadier (B)
Deputy M.R. Higgins (H)
Deputy L.M.C. Doublet (S)
Deputy of St. John
Deputy J.H. Perchard (S)
Deputy R.J. Ward (H)
Deputy C.S. Alves (H)

Deputy I. Gardiner (H)

Connétable of St. Martin Deputy J.A. Martin (H) Deputy of Grouville Deputy K.C. Lewis (S) Deputy J.M. Maçon (S) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy of St. Ouen

Connétable of St. Peter Connétable of St. Mary Connétable of St. Ouen

Deputy R. Labey (H) Deputy S.M. Wickenden (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 M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy K.G. Pamplin (S)

THE STATES resumed consideration of the proposition of the Minister for Home Affairs, as amended, and, adopting the amendment of the Children, Education and Home Affairs Scrutiny Panel, as amended, agreed that -

for paragraph (a) there should be substituted the following paragraph –

"(a) A Taser will only be issued to a uniformed police officer who has completed a Taser course (to the national standard) and who has also completed their probationary period."; and

after paragraph (c), there should be inserted the following new paragraph –

"(d) Any use of a Taser must, wherever practicable, be recorded on body-worn cameras by all officers attending the situation in which use occurs, with the footage to be submitted, retained and logged alongside the use form from the incident."

Members present voted as follows –

**POUR: 45 CONTRE: 2 ABSTAIN: 0** 

Senator I.J. Gorst

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 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 G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

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)

Connétable of St. Mary

Deputy M.R. Le Hegarat (H)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of St. John

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)

Deputy I. Gardiner (H)

THE STATES resumed consideration of the proposition of the Minister for Home Affairs, as amended, and, adopting the proposition, as amended, referred to their act dated 1st April 2014 and endorsed the intention of the Minister for Home Affairs to authorise the deployment and use of Energy Conductive Devices ("Tasers") by the States of Jersey Police Force for a trial period of 1 year in accordance with the following principles –

- (a) A Taser would only be issued to a uniformed police officer who had completed a Taser course (to the national standard) and who had also completed their probationary period.
- (b) The use of a Taser would be at the discretion of the police officer who was carrying the Taser and would not be subject to a specific firearms authority.
- (c) Usual supervision of the use of Taser would apply and the individual officer's usage must be justified and compliant with all existing legislation and associated College of Policing Guidelines.
- (d) Any use of a Taser must, wherever practicable, be recorded on body-worn cameras by all officers attending the situation in which use occurred, with the footage to be submitted, retained and logged alongside the use form from the incident;

and requested the Minister for Home Affairs to review the impact of the changes to the use of Tasers on policing in Jersey after the 1-year trial period had been completed, and to report to the States on the success, or otherwise, of the trial, with the report to include data in respect of –

- (a) the number of times a Taser had been used on a person under the age of 18;
- (b) the number of times a Taser had been used to resolve a situation involving a person undergoing a mental health crisis or episode;
- (c) a breakdown of the gender, age, and cultural and ethnic groups of the people on whom a Taser had been used; and
- (d) the number of times a Taser had been deployed by a police officer who is on their own;

and agreed that the deployment and use of Tasers in accordance with the principles outlined in the proposition should not continue beyond the trial period of 1 year without the prior approval of the States Assembly.

Members present voted as follows –

POUR: 47 CONTRE: 1 ABSTAIN: 0

Deputy M. Tadier (B)

Senator I.J. Gorst

Senator L.J. Farnham

Senator S.C. Ferguson

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 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.R. Higgins (H)

Deputy J.M. Maçon (S)

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)

Deputy I. Gardiner (H)

#### Draft Wildlife (Jersey) Law 202- P.110/2020

THE STATES commenced consideration of the Draft Wildlife (Jersey) Law 202- and adopted the principles.

Connétable of St. Saviour

Members present voted as follows –

POUR: 46 CONTRE: 1 ABSTAIN: 0

Senator I.J. Gorst

Senator L.J. Farnham

Senator S.C. Ferguson

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Clement

Connétable of St. Lawrence

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 G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

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)

Deputy I. Gardiner (H)

THE STATES, having been informed by the Chair of the Environment, Housing and Infrastructure Scrutiny Panel that, in accordance with the provisions of Standing Order 72(1), he wished to have the Draft Wildlife (Jersey) Law 202- referred to that Scrutiny Panel, agreed that, in accordance with the provisions of Standing Order 72(6), the 2nd reading of the draft Law should be listed to continue on 9th February 2021.

#### Jersey Care Model P.114/2020

THE STATES, commencing consideration of a proposition of the Minister for Health and Social Services entitled 'Jersey Care Model' (P.114/2020), commenced consideration of an amendment of the Health and Social Security Scrutiny Panel (P.114/2020 Amd.) and, adopting an amendment of the Minister for Health and Social Services (P.114/2020 Amd.Amd.), agreed that, for the words "hold executives to account for the delivery of the Jersey Care Model", there should be substituted the words

"keep under continuous review the delivery of the Jersey Care Model and report to the Minister and the Health and Social Security Scrutiny Panel".

THE STATES resumed consideration of the proposition of the Minister for Health and Social Services and, adopting the amendment of the Health and Social Security Scrutiny Panel, as amended, agreed that, in paragraph 2(a), after the words "report accompanying this proposition" there should be inserted the words ", with the implementation to include the establishment of an independent, non-executive board that will keep under continuous review the delivery of the Jersey Care Model and report to the Minister and the Health and Social Security Scrutiny Panel and that will be responsible for agreeing monthly progress reports and the publication at the end of Tranche 1 of a detailed analysis of progress against set targets and a detailed look ahead to the delivery of Tranche 2".

THE STATES, resuming consideration of the proposition of the Minister for Health and Social Services, as amended, rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier that, in accordance with Standing Order 83(1)(a), the matter should be referred back to the Council of Ministers in order that further information relating to the proposition could be provided to the Assembly.

Members present voted as follows –

## POUR: 19 CONTRE: 27 ABSTAIN: 0

Senator S.C. Ferguson Senator K.L. Moore Senator S.Y. Mézec Connétable of St. Helier Connétable of St. Saviour Connétable of St. Brelade Connétable of Grouville Connétable of Trinity Connétable of St. Peter Deputy G.P. Southern (H) Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy of St. Martin Deputy L.M.C. Doublet (S) Deputy G.J. Truscott (B) Deputy S.M. Ahier (H) Deputy R.J. Ward (H) Deputy C.S. Alves (H) Deputy I. Gardiner (H)

Senator I.J. Gorst Senator L.J. Farnham Senator J.A.N. Le Fondré Senator T.A. Vallois Senator S.W. Pallett Connétable of St. Clement Connétable of St. Lawrence Connétable of St. John Connétable of St. Ouen Deputy J.A. Martin (H) Deputy of Grouville Deputy K.C. Lewis (S) Deputy J.M. Macon (S) Deputy S.J. Pinel (C) Deputy of St. Ouen Deputy R. Labey (H) Deputy S.M. Wickenden (H) 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 J.H. Perchard (S) Deputy K.G. Pamplin (S)

## Jersey Care Model P.114/2020

THE STATES resumed consideration of the proposition of the Minister for Health and Social Services, as amended.

## Arrangement of public business for the present meeting

THE STATES rejected a proposition of Senator Lyndon John Farnham that the Assembly should adjourn.

Members present voted as follows –

POUR: 9 CONTRE: 32 ABSTAIN: 0

Senator I.J. Gorst Connétable of St. Saviour Connétable of St. Mary Deputy M.R. Higgins (H) Deputy L.M.C. Doublet (S) Deputy J.H. Young (B) Deputy S.M. Ahier (H) Deputy J.H. Perchard (S) Deputy C.S. Alves (H)

Senator L.J. Farnham Senator K.L. Moore Senator S.W. Pallett Connétable of St. Helier Connétable of St. Clement Connétable of St. Lawrence Connétable of St. Brelade Connétable of Grouville Connétable of St. John Connétable of Trinity Connétable of St. Peter Connétable of St. Ouen Deputy J.A. Martin (H) Deputy of Grouville Deputy K.C. Lewis (S) Deputy M. Tadier (B)

Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy of St. Ouen

Deputy S.M. Wickenden (H)

Deputy of St. Mary
Deputy G.J. Truscott (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 R.J. Ward (H)

Deputy K.G. Pamplin (S)

#### Jersey Care Model P.114/2020

THE STATES resumed consideration of the proposition of the Minister for Health and Social Services, as amended, and, adopting the proposition –

received the Jersey Care Model (J.C.M.) (as set out in Appendix 1 to the report accompanying the proposition), the Jersey Care Model Review (as set out in Appendix 2 to the report accompanying

the proposition) and J.C.M. Strategic Outline Business Case (as set out in Appendix 3 to the report accompanying the proposition), and approved the strategic objectives of the Jersey Care Model set out on page 4 of the report accompanying the proposition;

noted that Ministers intended to bring forward proposals for investment in the Jersey Care Model in the Government Plan 2021-24, and subject to that investment being approved –

- (a) approved the proposals to move to the next stage of the programme, to progress to the detailed design and phased implementation of the Jersey Care Model, as defined in the Strategic Outline Business Case and summarised on page 26 of the report accompanying the proposition, with the implementation to include the establishment of an independent, non-executive board that would keep under continuous review the delivery of the Jersey Care Model and report to the Minister and the Health and Social Security Scrutiny Panel and that would be responsible for agreeing monthly progress reports and the publication at the end of Tranche 1 of a detailed analysis of progress against set targets and a detailed look ahead to the delivery of Tranche 2;
- (b) requested the Council of Ministers to co-ordinate the necessary steps by all relevant Ministers to bring forward for approval proposals for a sustainable funding model for health and social care, to be operational by the end of 2025.

Members present voted as follows –

**POUR: 39 CONTRE: 7** ABSTAIN: 0

Senator I.J. Gorst 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. Brelade

Connétable of St. John

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)

Deputy of St. Ouen

Deputy R. Labey (H)

Deputy S.M. Wickenden (H)

Deputy of St. Mary

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

Connétable of St. Saviour Connétable of Grouville Connétable of Trinity Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy of St. Martin Deputy G.J. Truscott (B)

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) Deputy I. Gardiner (H)

# Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 4th November 2020 to consider the outstanding items of public business listed for the meeting.

THE STATES rose at 5.49 p.m.

L.-M. HART

Deputy Greffier of the States