

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 10th DECEMBER 2025

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[9:30]

The Roll was called and the Dean led the Assembly in Prayer.

Connétable R.D. Johnson of St. Mary:

I have a funeral to attend, if I may, later this morning but I will return immediately after lunch.

Connétable R. Honeycombe of St. Ouen:

I would just like to advise that I will not be here after lunch, I am taking a close relative to a medical appointment but I hope to attend on Teams later.

Male Speaker:

Just to advise that I hope to attend a funeral around lunchtime. I may not be in my seat straight after.

The Bailiff:

Thank you very much for letting us know.

PUBLIC BUSINESS - resumption

1. Proposed Budget (Government Plan) 2026-2029 (P.70/2025): twenty-eighth amendment (P.70/2025 Amd.(28)) - Funding for respite care - resumption

The Bailiff:

We resume the debate on the twenty-eighth amendment.

1.1 Deputy K.M. Wilson of St. Clement:

I would first like to say to Members that this amendment is not, contrary to some beliefs circulating, that we are reopening the debate on assisted dying. It is about whether an Assisted Dying Service should be prioritised and funded with public money, when the Minister for Health and Social Services has confirmed that currently core health services are under-resourced and in need of multi-million pound investment. When it comes to managing scarce public resources, our social care system often gets overlooked, particularly the provision of respite care and the support available to carers. They are our unsung heroes and between them they provide invaluable support to hundreds of vulnerable people every day. The purpose of this amendment is to ask Ministers to consider this in a bit more depth and commit to redirecting the £2.7 million earmarked for a new Assisted Dying Service into delivering much-needed respite care and a service for carers. On a matter of principle, it seems we may have galloped ahead of ourselves by assuming that the only way to deliver and fund an Assisted Dying Service is by the state. In some countries, that is not the way assisted dying is done, and by deciding it will be state-provided as well as state-funded, we are immediately opening up a can of worms that we have not given sufficient thought to. The scenario poses a number of questions. Should our health service not be better prioritising health? Do people want the decision about ending their life to be in their own hands or in the hands of the state? And what priority do we give to carers and those in need of support? There is an argument that because of the narrow criteria we have set for the eligibility for an Assisted Dying Service, we can expect that the numbers for a population of our size will be small and at the lower end of the range somewhere. So the cost per patient on the basis of this proposal is to be questioned. If Jersey allocates nearly £2.7 million a year to assisted dying, the cost per patient, depending on the uptake, ranges from £64,000 to nearly £400,000 per patient. We must be honest about it, if Ministers tell us that there is no new money, then as an Assembly we have some strategic choices to make. Do we spend £2.7 million on the many who want to live well, a core purpose of our health and social care system, or on a small number who are making a very personal choice to have assistance with their death? Right now because of funding, carers cannot get regular breaks, respite beds are rationed, specialist respite for children is stretched beyond capacity and many families are simply exhausted. If departments are constrained and must take proportionate cuts, as Ministers have warned, then unprotected services will fall even further behind, unless this Assembly acts responsibly. I would say to the

Minister for Social Security, maybe she does not need to commission a review into the needs of carers, because if she and her colleagues support the amendment, the money will be right there in the Budget to spend now, to improve the lives of carers and those in need of respite care. I am surprised by the decision taken by the Council to propose funding a service development which will place us even higher up in the O.E.C.D. (Organisation for Economic Co-operation and Development) index for health expenditure, and this suddenly does not correlate with better health outcomes. If £2.7 million is approved by the Assembly to spend on assisted dying, it will also place us in the highest expenditure bracket for publicly-funded Assisted Dying Services, on the basis that we are likely to see between 2 and 38 deaths per year. The proposal put forward by the Government to spend money in this way is a statement of political choice. It says this is what we value, this is what we will pay for, before we will pay for anything else. Yesterday, Ministers themselves set the context for why this amendment is important. The Minister for Treasury and Resources told us yesterday there is no new money. The focus must be on driving efficiency and making savings. The Minister for the Environment stated we must take all proportionate costs. We have looked hard at the choices. Most starkly, the Minister for External Relations told us western economies can no longer afford to finance healthcare in the way that they are; it is going to be impossible to fund what health needs. These are not my words, these are the Government's own words and they go directly to the heart of this amendment. If Ministers tell us these things then the Assembly must seriously consider how best to use £2.7 million of public money, and there is a basic strategic logic to be considered here. We cannot, on the one hand, be told that the public purse is exhausted, that efficiencies must be found everywhere, and that even health needs may soon be unaffordable. Then, on the other hand, spend over £2.7 million on developing an Assisted Dying Service for a very small number of people. I would like to move to reference the connection with C.S.P. (Common Strategic Policy) priorities, which are very often quoted back to Members, and there are key risks associated with using money in this way. Any system that requires fixed annual staffing, clinical oversight, advocacy and I.T. (information technology) systems, regulatory frameworks and communications, regardless of uptake, will always be proportionately more expensive in Jersey. No other small jurisdiction has made an Assisted Dying Service cost-efficient. Palliative care, respite and home care services remain underfunded in the Island. If assisted dying is fully funded, these will remain incomplete. The C.S.P. ambition is to support carers, strengthen community care, reduce hospital pressures, improve end-of-life dignity. It is undermined, not advanced, if we choose not to support carers in the way I am proposing. The risk is clear and they are not theoretical risks. It is exactly what disability rights, hospices and palliative care organisations have warned against and we need to listen to this. We are not immune from the consequences of introducing a state-funded Assisted Dying Service but we can do more for our carers and provide more respite. Countries that fund assisted dying through the public purse rely on 3 main arguments: it is part of end-of-life care; it is a small cost in the wider health budget; it ensures equitable access. But the international evidence shows that there are serious problems with these justifications. The counter-argument to it as part of end-of-life care is that assisted dying is not a treatment. It has no therapeutic aim and it is not comparable to palliative care.

[9:45]

So the equal treatment does not logically stand. It is a small cost. This is where the major warnings emerge. In Canada, costs have risen sharply. Oversight, bodies have struggled. Palliative care investment has not kept pace and several provinces now warn that medical-assisted dying is easier to access than many other health services. It promotes equity is the third argument. New Zealand, Belgium and Canada argue that public funding prevents assisted dying become a service only for the wealthy. Disability rights groups and palliative care organisations now argue that equity in ending life is meaningless if equity in living with dignity is not met first. Equal access to ending life is not morally equivalent to equal access to support people to keep living. This is a critical point for Jersey. We do not have the palliative care capacity we committed to. We do not have a respite system that meets the demand. We do not have full carers' support in place. Yet, we are proposing to fully fund from the public purse the option to end life. This Assembly itself required palliative and support services to be strengthened first.

We have not yet met that condition. It remains incomplete. Carer support reform has stalled and, as I have said before, respite care remains chronically underfunded. This amendment ensures, or aims to ensure, that those commitments are honoured before a new service is built. If the Minister for Treasury and Resources says there is no new money, and the Minister for the Environment says departments must tighten their belts, and that even health needs may soon be unaffordable, then how can it be justified to protect millions of pounds for brand new assisted dying services while carers, families and palliative services go without? If this Assembly accepts those warnings, then the logical step is to prioritise the services that sustain life, support carers and reduce pressure on the health system today. The European Court of Human Rights has been absolutely clear that there is no right to die under the European Convention, so assisted dying is therefore not a mandated public service. It is a choice created by this Assembly and if it is a choice, then funding it ahead of essential care is a political decision, it is not a human rights obligation, and I urge Members to think carefully about the political choices we are making here today. I come back to disability rights groups because they warn that assisted dying services could provide a perverse financial incentive if ending life becomes cheaper than supporting it. State-funded assisted dying creates a moral hazard where limited care options can push people towards a legal alternative they would not otherwise choose. State-funded dying has the potential to cause systemic neglect where scarce resources fall further behind as funding and workforce are directed and diverted to new service developments. We already know that the hospice and other palliative care providers operate on tight budgets. Introducing a new resource-intensive legal framework without simultaneously boosting respite care, palliative care, is not a neutral act. It is a risk multiplier. This amendment is trying to address that. We have already heard the Ministerial warnings, but it does not seem the case that these concerns are shared by all. Where is the evidence of objectivity? Where is the focus on sustainable healthcare? Any sign of humble recognition or reflection that maybe this may not be the right time to fund the service in this way? We should ask why have we been presented with only one option as to how this development should be funded? Why have the Council of Ministers not called for other options to be considered? What financial assessment was done on affordability? How is the decision justified on a service that supports a few but provides little benefit to the many? I want to be clear, when Ministers warned that it is impossible to fund the health needs faced by Islanders at this time, I could not agree more. But at a time when other health priorities are competing for resources and carers cannot even get a weekend of respite care, it seems the Council have done nothing to challenge the fact that the amount of money identified to establish a state-funded Assisted Dying Service for a few people is unaffordable and engage the Assembly in discussions about alternative options. It seems that we are presented with a *fait accompli*. It is a problem in itself that we do not have reliable, up-to-date figures for how many Islanders need respite care, and I hope the Minister for Social Security is intending to address that issue as part of her review work. Government material consistently cites around 10,000 unpaid carers on the Island, but formal commissioned respite capacity is tiny by comparison. Recorded in Scrutiny reviews as only a few dozen beds and a limited community hours, even on conservative assumptions, if just 5 per cent of carers require regular scheduled respite that implies we need guaranteed respite for up to 500 Islanders. Yet the formal supply is measured in dozens. Until we can close the data gap and scale respite provision, it is reckless to commit millions of public funds to a new service while hundreds remain unsupported. This is not about choice at the end of life. That right has been debated and decided. It is about responsible budgeting and it is an uncomfortable discussion to have. Members can support the right to assisted dying without supporting this particular funding model or its timing. This amendment does not block future implementation, it does not reopen the assisted dying debate, it does not change the law, but it does redirect money now where it produces the greatest benefit. It simply asks for what the Ministers themselves asked for today; careful choices, proportionate prioritisation and a responsible use of public funds. This is about responsible public finance and essential care. Do we spend £2.7 million on a service used by the few or on respite and palliative care used by hundreds? Do we expand an optional service or strengthen essential ones? Do we follow the logic of previous days' Ministerial statements or do we ignore them entirely? I urge Members to support the amendment. For me it puts carers first, it puts dignity in living before the funding of dying and it ensures that we meet

our obligations to support life before we fund the option to end it. I move the amendment and open the debate.

The Bailiff:

Is the amendment seconded? **[Seconded]**

Deputy M.E. Millar:

May I raise the défaut on Deputy Farnham?

The Bailiff:

Are Members content to raise the défaut on the Chief Minister? The défaut is raised.

Deputy D.J. Warr of St. Helier South:

May I raise the défaut on Deputy Moore, please?

The Bailiff:

Are Members content to raise the défaut on Deputy Moore? The défaut is raised.

Female Speaker:

May I raise the défaut on Deputy Labey, please?

The Bailiff:

Are Members content to raise the défaut on Deputy Labey? The défaut is raised.

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

I would just rise very briefly to point out that I am chair of the Assisted Dying Scrutiny Panel, and we are very much in the middle of a very thorough review into the recently lodged legislation. Part of our review is looking at the funding of the Assisted Dying Service. and while I support the intention of the Deputy in terms of increasing support for carers, I do feel that I need to abstain for this particular amendment, because I do not feel it would be appropriate for me to make a conclusive statement given I am in the middle of a review at this point.

Deputy I. Gardiner of St. Helier North:

I would like to ask a point of clarification of Deputy Doublet?

The Bailiff:

Do you accept a point of clarification? Yes.

Deputy I. Gardiner:

Would Deputy Doublet advise if the panel would consider the funding mechanism and, if required, would they consider to bring an amendment?

Deputy L.M.C. Doublet:

That is certainly something that I could put to my panel but I must make Members aware that there is already a massive volume of matters to consider. We are already looking at amendments to the legislation and trying to give the material the thorough consideration that it deserves. It is something that is a considerable workload already for us. So that might be tricky but it is certainly something that I could put to my panel.

Deputy A. Howell of St. John, St. Lawrence and Trinity:

Could I ask a question, please, Sir? If we debate this now would this detract from the work that the panel is doing? Can they bring this back with their panel if we discuss it now?

The Bailiff:

A question for whom? For Deputy Doublet or for the proposer?

Deputy A. Howell:

To Deputy Doublet.

Deputy L.M.C. Doublet:

I do not think it would necessarily detract, but my decision to abstain is because I am scrutinising the matter and choose not to comment on the funding at this time until we have concluded our review.

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

I do wonder if that question from Deputy Howell was really for you. If whatever the States vote today, that vote cannot be replicated should the panel wish in the time period that Standing Orders disallow the same vote again.

The Bailiff:

Yes, that must be right, yes. Does anyone wish to speak on this proposition?

1.1.2 Deputy B. Ward of St. Clement:

It is just a point of, in some ways, clarification of what the proposer has said today, and to give Members some background information, if it would be helpful. The original health contract for funding with a local palliative care facility was negotiated and agreed during 2022, and it was agreed by this Assembly, and negotiated by the then Minister for Health and Social Services, Deputy Wilson, herself. That agreement commenced 1st January 2023 at £2.5 million each year for 3 years plus a further 2. The £2.5 million was a fixed amount with no growth over that 5-year period, which would end in 2027. This contract was then renegotiated back in 2024 with a new commencement date of October 2024 to cover increasing staffing and service shortfalls. The new deal was as follows: it was a pro rata sum from October to December 2024. An increase of £800,000, that is in addition to the £2.5 million which raised the yearly sum to £3.3 million from 1st January 2025 each year going forward until the end of 2027. There was a further inclusion in addition to the extra £800,000 by way of an uplift of pay increases for their staffing, of which there are 100 people employed in this facility. This financial uplift of £3.3 million-plus a year by Health provides some 43 per cent of funding with the on-Island palliative care facility, which leads them to raise the remaining 57 per cent of their budget from fundraising and retail activities. This financial improvement by Health demonstrates the partnership and recognition for palliative and end-of-life care, which enables further development of services. These being: engage, develop with the palliative care team, improve engagement with Health, with improved choice and use of palliative care beds. This further development is to improve provision for patients' choice of where they wish to spend their end-of-life journey, rather than on an acute busy ward at the General Hospital. Investment with the engagement of a doctor, provide a 50:50 cover for the palliative care facility, in addition and assisted by another doctor.

[10:00]

Develop the bereavement service work by going into schools and the provision of an off-site bereavement counselling service to a wider service need. Continuing a 24/7 connectivity service support by specialist U.K. (United Kingdom) palliative care facility for overnight complex issues. Early intervention service at the time of diagnosis. Establish a living well team by engaging 5 extra qualified staff, and that was launched this year. Engage an education community practitioner to liaise with the health educational staff at the General Hospital. Engagement of a nurse to liaise work with Health on educating doctors and staff on breaking bad news to patients and their families. Further development and discussions with the U.K. Centre of Excellence for an improved model. I feel what we have demonstrated by what I have just relayed to everyone is that Health is trying very hard to meet its commitment to invest in palliative and end-of-life care via this partnership and increased funding. Therefore, the need to transfer monies earmarked for assisted dying, in my view, falls away. However, in light of what I have heard from the Scrutiny Panel is that they are looking at that, which I am pleased about. I cannot support this amendment at this time and ask you to vote contre. I hope that the information I have relayed to you does show that Health is really trying very hard to invest in our palliative and end-of-life

care services ongoing until 2027 at least. I hope that is helpful to Members. Thank you very much.

1.1.3 Deputy L.V. Feltham of St. Helier Central:

I am pleased to speak after the Assistant Minister for Health and Social Services because, as the Minister for Social Security, I think it is important within this debate that I clarify what support there is for respite that already exists. As people are aware, I have undertaken to have an urgent review of carers so that we can spot gaps and improve provision where appropriate. That particular review is funded from existing resources within my department. We are also working collaboratively with the Health Department on that, and we are drawing together existing strands of work. That does not require additional funding at this point. But within this work one of the most disconcerting things that I find as Minister is when people do not understand the support they can get and therefore do not ask for it. In response actually to this amendment, there was a piece ... I think some Members may have heard today on Radio Jersey this morning, which I think is a really useful case study to help us understand this issue. For those that did not hear, there was a local pensioner who provides daily care to her husband who said that she was not eligible for any government support and did not get any. I am pleased to say that my officers will be in contact with that person today to ensure that she knows exactly what she can get. But I can confirm that support is available today for somebody in that situation. For somebody who is caring for their partner or another loved one on a daily basis, they will be eligible for the L.T.C. (Long-Term Care) scheme. The person talked about not being eligible because they have savings, but the L.T.C. scheme does include support for everyone, and if they do have savings they can receive support after a waiting period. It is really important that people understand that no one has to sell their house in order to get this support. If people are asset rich but do not have the cash there is a bond scheme available. But what is important to note here is L.T.C. will support a care package in someone's own home, and that includes when carers help the family and ensuring that no one is left caring for 24 hours a day without being able to have a break. A care package could include carers coming in on a regular weekly routine with some of the benefit kept back to cover the cost of a longer break every now and then. The person also spoke about the need for carers' recognition, and that is something that we are working on within this review. It is something that we hear again and again from carers that actually it is not necessarily cash that is the issue, it is recognition of the vital role that they play. But looking forward, we do know that we need to invest in better respite facilities, and that is where some of the gap in provision is. I do not think that this amendment solves that issue. It is something that we are currently working on, and that will take more time to achieve. But it is important to also recognise that L.T.C. can provide respite care in the home and exactly what was described actually by the carer on the radio where she said: "I actually just want to go for a break in a hotel for a night"; that is exactly the type of thing that is currently funded through L.T.C. We will also connect carers through Connect Me to community groups so that they do not feel isolated and alone. With regard to this amendment, it is unclear how giving extra funding to Health and Care Jersey will help resolve issues. When it comes to respite care specifically, that is already funded via the L.T.C. Fund. For me, the key issue that I am working on trying to resolve is people's misunderstanding of how that fund works. It really does worry me that there are people out there that feel that there is not help and support available and they are not contacting the department on the basis of a misconception. I would encourage everybody who thinks they should be eligible to contact the department. One of the things that we are hoping to implement early in the new year is a key contact point within my department for carers. They have a key staff member who will be able to join the dots around Government and ensure that they have the relevant support in place. We are also going to put together a comprehensive directory of existing Government and community support for those receiving care and carers. We are going to do that in short order. We will be improving information on the website, we will also be providing information on paper as well. I know that not everybody can access information via the internet, not everybody finds it easy to search our government website, and it is really important that we have got information on paper available for people as well. So there is ongoing work. There is financial support currently available. My concern is that due to people misunderstanding what

is not available, people are not actually getting the care and the respite that they actually can access. I just wanted to say that early on in this debate because I would not want this debate to exacerbate those misunderstandings. I renew my commitment to work hard with carers and support organisations to make sure that we have the right level of support in place for all.

1.1.4 Deputy M. Tadier of St. Brelade:

When Deputy Wilson brings propositions to the Assembly, she does it in a very thoughtful and well-researched way, and I think that is what we have seen again this morning. We have to also remember that the area of assisted dying that inevitably is being in some ways re-debated here - I think that is not the intention - is one of conscience. I will start my remarks with that in mind. I was prompted to speak when I heard about the idea that an assisted death is not a human right, and that may well be the case at the moment, but I am moved to say that the area of human rights is of course always in development. If we look at one other area, which only 2 weeks ago the European Court was asked to rule on, it was a case about same-sex marriage. Now same-sex marriage we take for granted nowadays I think in Jersey, although that was a hard-fought norm to establish, and it is not one that is even universal within the E.U. (European Union). There was a recent case where a Polish couple, same-sex couple, were married in Berlin, and Poland does not currently recognise same-sex marriages. It may be something that needs to be raised with the Polish consul over here and see what she thinks about that. But the point is that Poland was told that they had to recognise same-sex marriages that were solemnised in other E.U. states, even if they did not have an equivalence in their own states so at least for the purposes of freedom of movement, the enjoyment of family life, that Polish couple who have remained Polish nationals should be able to enjoy their European rights within their home nation state. So things are in development. I also turn to the area, for example, of I.V.F. (in vitro fertilisation), so fertility treatment and access to it, which has been another area of great interest in this term of office for the public and for States Members. Again there is no universal approach in the world or indeed in Europe, so for example one might be very surprised to hear that otherwise liberal countries, which we usually associate as being liberal, such as Germany and Switzerland, restricts who is allowed to have I.V.F. treatment to heterosexual and married couples. So in Germany, you have to both be heterosexual and married to be able to qualify for state-assisted I.V.F., and the same is the case in Switzerland. These are things which would probably be, I think, largely anathema to us in Jersey and maybe even in Great Britain, which has a different view maybe on fairness and equality. But we accept that there are different starting points. The reason I bring in I.V.F. here is that I think that when we look at health provision I think it very much is cradle to the grave, so my concern in this debate is that it seems to be pitting palliative care against assisted dying unnecessarily. I do not want to have to do that. As a citizen, if ever I am in a situation of facing a perhaps long and painful death which I cannot recover from, that I know I have both of those options available to me, which the state will support, which I hope when I am older that I never need of course, but that if I do, I hope that those will be human rights. I hope that we will have a right to both have dignity in palliative care and dignity in assisted dying, if that is the way we choose to go, because ultimately whose life is it? It is surely a fundamental area of autonomy. I am uncomfortable by this debate. I do not think it should be an either/or, and I do not think that it should be ... certainly when I think of the alternative to state funding going into this, the alternative is presumably privatisation. I do not want to see the option of a publicly-assisted dying facility, which is available to all, being withdrawn in favour of a private death industry taking place in Jersey. What would that look like? It sounds very dystopian to me, and although I know people instinctively have a mistrust for Government and for the state, if we were looking at it through the other end of the telescope, going back to the question of I.V.F. and birth, would we say that birth is not something that Government should get involved in? Is that something that should simply be provided for privately? I think birth, healthcare in the middle, and end-of-life options are all something that intrinsically do fall in the orbit of the States. I do not think we should shy away from that.

1.1.5 Deputy T.A. Coles of St. Helier South:

I just want to talk on this one, because it is a shame that ... the line in this amendment is about respite care but we have heard a lot about assisted dying and palliative care. The respite care is something different. It is that break that is provided to carers who are looking after people with needs. The other issue with this amendment is that it is putting the money back into H.C.J. (Health and Care Jersey) but, as we have heard from the Minister for Social Security, that the money that funds respite care actually comes from the Long-Term Care Fund. I am not going to dwell too much on this next point, but there is another amendment, Amendment 5 to this Budget, would actually see the allocation for the Long-Term Care Fund increased by nearly £11 million a year.

[10:15]

I am just going to leave that there because it is my own amendment. So for me, the important part is this, it is moving money in the wrong places in the wrong direction. I am not going to comment on the tone or the terms around how this debate seems to have gone but actually more the fundamental mechanics of it. This is diverting funds, which is a growth bid from the health service back to the health service, but just in another place there. For me the mechanics of this amendment does not work and that is why I will not be supporting it.

1.1.6 Deputy T.J.A. Binet of St. Saviour:

I would like to thank all the previous speakers because I think they have all raised some very interesting points and given a lot of useful clarification. As Deputy Wilson has explained, this amendment proposes the reallocation of the funding already set aside for the establishment of the Jersey Assisted Dying Service to palliative care, respite provision and support for carers. Regardless of whether we need another increase in funding for palliative care, I suspect that most Members, possibly even those opposed to assisted dying, can see that in real terms this amendment is little short of a wrecking motion that flies in the face of several decisions taken by this Assembly. In November 2021, through P.95/2021, the Assembly agreed in principle that assisted dying should be permitted in Jersey and, importantly, that the service should be free at the point of access. In May 2024, through P.18/2024, this Assembly reaffirmed that position and agreed that funding for the Assisted Dying Service would need to be provided in a future Government Plan not involving Health budgets. This amendment seeks very clearly to overturn that position and the principle of free at the point of access. In addition, the suggestion of a user pays model is deeply problematic. If the Deputy's amendment were to be adopted, and we did not then resort to funding the service by drawing on the existing Health budget, it is almost certain that an alternative user-pays policy would create a complete inequality of access. As mentioned, it has already been agreed that Islanders who wish to have an assisted death should be able to do so here in Jersey under a law with stringent safeguards free at the point of access. That principle of choice and safety was at the heart of all of our previous decisions. Furthermore, and while it is not the most destructive development, this amendment lacks clarity and evidence. There is no needs analysis and no assessment of existing provision. It does not specify what type of respite care or additional support is required for carers, nor does it state how the money would be distributed. Meanwhile, let us remember that this Assembly has already agreed an additional £3 million a year for palliative care and end-of-life care through the 2023 Government Plan. That was only decided as a direct consequence of the anticipated introduction of assisted dying. That investment is already improving services quite dramatically, as evidenced in the addendum to P.65/2025. Finally, the funding for assisted dying is currently held in reserves, not within the health service operational budget. It is based on the upper end of best estimates, and the intention is that it will be recast once a service begins and actual costs are understood. In my view, this is a prudent approach for a new service and it avoids destabilising other areas of healthcare. This amendment would simply derail the agreed assisted dying programme, create uncertainty, risk undermining equality of access and reverse decisions that were made after extensive consultation. Indeed, it runs completely contrary to the conclusions of the ethical review that Deputy Wilson herself commissioned. Sadly, this amendment seems less about improving care and more about frustrating the public's right to have choice at the end of life. With all of those facts in evidence, I am more than happy to leave the matter to the good judgment of my fellow Members.

1.1.7 Deputy Sir P.M. Bailhache of St. Clement:

That was an interesting speech from Deputy Tadier, but I am sure that even he would acknowledge that every policy adopted by this Assembly has a cost. The basic point being made by Deputy Wilson, as I understand it, is that the cost which is attributed to the policy of assisted dying is disproportionate to the number of people who will be likely to take advantage of it. I have tried, unsuccessfully so far, to obtain accurate figures of what the cost of the assisted dying policy is going to be, because I do not believe that the figures in this amendment are an accurate assessment of what assisted dying is actually going to cost the Island. I think it will be significantly more, particularly if the recommendations of the Scrutiny Panel, on which I sit, as to training and other peripheral changes are ultimately adopted by the Assembly. The expert advisers appointed by the Scrutiny Panel pointed us towards a report which was made by the United Kingdom Government in relation to the estimated number of people who would take advantage of assisted dying if the English law were brought into force. I took that estimated number, divided it by the population of England and Wales and multiplied it by the population of Jersey. The result of that was that a figure of less than one person in year one would be likely to take advantage of assisted dying. After 10 years, it was a figure of 7. Those figures are English figures, and perhaps there will be a greater enthusiasm in Jersey for the adoption of the assisted dying policy, but I think there is a case for adopting a different policy if one is to have assisted dying in Jersey from that proposed by the Minister. I am not going to support this amendment, with some hesitation perhaps, but I am not going to support it because I accept the argument of the Minister that the States have made an in-principle decision, and it seems to me that we need to debate the law which the Minister has brought forward, which we are going to do at the beginning of next year. I think the adoption of this amendment would upturn the arrangements in the Health Department and that ought not to be done until decisions have been made in relation to the proposed law.

1.1.8 Deputy H.M. Miles of St. Brelade:

I want to speak to explain my position on this because it is not straightforward and I am, at this stage, in a bit of a quandary and undecided as how I am going to vote on the amendment. I recognise the arguments that have been put forward, and I feel that I want to support it but I also believe that the issues it raises are complex, they are difficult and I intend to listen carefully to the full debate before reaching a final decision. I do not share Deputy Binet's view that this is a wrecking amendment. I think this amendment challenges the significant allocation set out in the Budget for establishing an Assisted Dying Service. It is undeniable that this represents a major commitment of public funds at a time when we all know that the Health budget is already under extraordinary strain. We have got multi-million pound increases across acute services, mental health, primary care and community support, and I think it is quite reasonable to question whether this new investment could be more effectively deployed towards established pressing needs. I am grateful to Deputy Wilson for raising these issues. I think it offers a very different perspective. We all know that palliative care, while showing improvement, outlined by Deputy Barbara Ward, remains only partially developed and the Government itself has stated that assisted dying should not be delivered until palliative care reaches a defined standard. This amendment can be seen as a mechanism for ensuring that promise is kept in practice. Likewise, comments have been made to review and improve support for carers, and the Minister for Social Security has articulated how she is working on those. I am particularly grateful to the Minister for engaging with me on a number of issues around this. Again, this amendment seeks to address that gap proactively, rather than waiting for another cycle of deferred action. The text of this amendment highlights a key point, the idea that an Assisted Dying Service can be delivered free of charge, and it suggests that is not accurate. It certainly was not something that I had really considered before reading this amendment. Under the current proposals, the taxpayer would fund the full cost of implementing and operating the service, inevitably at the expense of other health priorities, notwithstanding the previous in-principle debate. I think we have to be really honest about that trade-off. There may well be more cost-effective models, and it is not unreasonable to explore them before committing millions of pounds to a service that will be used by relatively

few people each year. For that reason I will be really interested to read the report of the Assisted Dying Panel and to see whether they do bring an amendment to that effect. The amendment argues that spending substantial sums on a small number of individuals seeking assisted dying, while underfunding services that support thousands who want to live well, may not be an optimal use of public money, and I do tend to agree with that. It suggests redirecting funding to areas of immediate need, respite provision - palliative care, carer support - and strengthening the structures that will improve the quality of life for the many, and I am very sympathetic to that. The Deputy has made it quite clear that she does not think that this amendment reopens the debate on assisted dying itself. It does recognise that Members may support the principle while disagreeing that the service must at this stage be funded through the public purse. I think what it does do is allow the Assembly additional time to consider alternative procurement models and better understand the true financial implications before proceeding. I sincerely hope that the Assembly will be assisted in that regard by the report forthcoming from the Assisted Dying Scrutiny Panel. Members will know that I fully support the principle of assisted dying. I believe that under the right safeguards it represents a compassionate and humane option for people facing unbearable and irreversible suffering. But supporting that principle does not mean that I have to accept any funding model at any cost without proper scrutiny. At the same time, I recognise that palliative care and support for carers are critical components of our health ecosystem, and this amendment raises legitimate concerns about how these areas are being sufficiently prioritised. These are considerations that affect me personally and weigh on me heavily. I have spoken in this Assembly before about the lack of support for carers and insufficient short-break services, particularly for children. So yes, I want to support the amendment. I see the logic and I see the compassion behind it, but I also want to do justice to the seriousness of both issues. The need for high-quality end-of-life care and the need for a carefully designed, responsibly funded, assisted dying framework. For that reason, I am still on the fence. I will listen closely to debate and make my decision in due course.

1.1.9 Connétable M. O'D. Troy of St. Clement:

This amendment I think is probably the most emotive and probably the most worthy of the amendments in the debate about the Government Plan and Budget. I am not sure where I stand because it may well be that given the information from the Minister for Health and Social Services and the Minister for Social Security that they have these angles covered. But what I can say from experience is that in our Parish we have many families of carers with young individuals who are looking after whole families, many with complex physical and mental problems, and some at their wits' end. We managed to help an individual lady with respite care recently and gave her 5 weeks' respite. This was an individual who had problems with a utility company and also was and is suffering from cancer. The change in her attitude and apparent wellness after that respite care was magical, and I do think that that is something that we need to do more about.

[10:30]

I do wonder whether the Deputy might want to split items 1 and 2, and whether that is possible, because it seems to me there is a big difference, if I read the room right, between the assisted dying segment and the respite care, but I will leave that to the Deputy. But for the moment, I am a little bit unsure which way I will go on this, and I will leave it at that.

1.1.10 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

This week is all about difficult choices - difficult choices for difficult times - and I commend the Deputy for offering us this thoughtful way forward. Many fine speeches have gone before so I will shorten what I was going to say but I thought it was important to remind ourselves of the work of another thoughtful woman who did careful research, and that is the late Dr. Margaret Bayes who for many, many years fought for carers. In 2022 she brought an action plan, an action plan that as part of its year 3 actions included genuine respite options and a pool of carers. Dr. Bayes would not have put that in her action plan had she been satisfied with the access to respite care that was being provided in the Island for carers. I really would like Members to reflect very carefully on that wish of that really impressive woman who had worked tirelessly for many, many

years. I certainly have no problem with supporting this amendment. I think it offers us a sensible solution but I would also agree with the Constable of St. Clement that offering a choice between supporting either/or or both of the options that are being provided by the Deputy may be helpful to some Members.

1.1.11 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

I was not planning on speaking but listening. Like Deputy Miles, I am not yet there with where I would like to go, but I just wanted to thank the proposer for bringing these important issues. Maybe I am looking at not necessarily the report and the discussions we are having, which are very weighty topics around assisted dying, respite care and palliative care, but if we look specifically at the amendment before us, I just would like to ask the proposer in her summing up to understand that the amendments that we have here to vote on is to take Head of Expenditure for the Central Reserves, which is specifically being put aside for assisted dying, to be put to the Health and Care Jersey budget to fund respite care. But I think we heard from the Minister for Social Security that actually it is the Social Security budget where respite care is, whereas palliative care would be, of course, under Health and Care Jersey and why, even though she mentions palliative care in the report, this money will not support palliative care because it says respite care. I am a bit confused about what that means because for me, as part of when I have been ... and I have spoken up in the different debates we have had on assisted dying, one of my key principles is that palliative care is funded correctly and strongly before I will then support assisted dying with that balance in place. The Minister knows that. We have talked about it individually before on that. So I think it is important to talk about palliative care, but the amendment itself, when we look at the actual amendment, it is going to respite care. So if we agreed to that, it would have to go to respite care and it is not the right budget line that it would be going to. I am just trying to understand how that will work and whether technically it would work. Maybe the Minister for Treasury and Resources could also say, if this passed, how would that work because we would have money going to a Health budget that does not actually implement respite care.

1.1.12 Deputy C.D. Curtis of St. Helier Central:

I am only speaking to say that as vice-chair of the Assisted Dying Review Panel, we are still working through our review. While I support any moves to make respite care or palliative care more accessible, this amendment is to take funding that is allocated for the Assisted Dying Service. The panel is currently working on our review and any potential amendments. So the timing of this amendment is all wrong. Therefore, I will have to abstain.

1.1.13 Deputy G.P. Southern of St. Helier Central:

I have been around this Assembly for a number of years now and increasingly I find that whenever issues come up, especially sensitive issues, I have debated them before in some form or other. What I heard today was the proposer say there is no E.U. right to die and then left off the second part of the sentence, which was “without additional safeguarding”. For this proposer to say that we are not re-debating the right to die issue, that is done and dusted, and then go on to mention and talk about conditions around the right to die, is dangerously close to accidentally misleading us. The fact is, there is no right to die in the E.U., but what there is, is safeguarding procedures in every country that slightly differ from one to another, but nonetheless are there to make sure things are done properly. That debate has been had, and now has been rehashed by ... and again I think back to my time, one of the oldest tricks you can pull in this Chamber which is you have to give 3 months before you can re-debate the same issue. The easiest way to include a re-debate of a proposal is to: “Let us go to the money and let us talk about the money because that is always a good one. We can do what we like with how do we fund this” and it often rings bells with many Members in the States. I have seen it today, and the last 2 days, where money has been the issue which has led to reviving debating the issue itself rather than the conditions, the safeguarding that surround it. So I cannot bring myself to support this amendment.

The Bailiff:

Does any other Member wish to speak on this amendment? I ask Deputy Wilson to reply.

1.1.14 Deputy K.M. Wilson:

If I could first express my thanks to those who have contributed to this. As a carer, having access to respite care is not an optional luxury. It is a lifeline that allows carers to continue their work safely and sustainably. Without it, they burn out, they jeopardise their own health and well-being. The impact is that we see hospital admissions increasing and families and patients facing avoidable suffering. We have heard a lot of perspectives this morning and really that was what I wanted to do, which was to explore the idea of whether or not the Assembly understands the importance of respite care in the context of improvement to palliative care services and in the context of the forthcoming debate on assisted dying. It is very interesting to hear Deputy Southern comment about my intention around one of the so-called oldest tricks. I just wish perhaps maybe I had the political guile that he has to use that as a method upon which to present my arguments. Deputy Moore mentioned Dr. Margaret Bayes, and I had the pleasure to work with Dr. Margaret Bayes and saw first-hand just how committed she was to trying to improve the lives of those who care for vulnerable people. For years and years and years she campaigned to get simple commitments, simple ideas into the political arena that she hoped would actually build a bit of traction and raise the profile of the needs of carers. In one sense, it was her work that really caused me to consider what have we done about carers, what have we done about carers' legislation? What have we done about respite support, given the work that she had done to bring this into the public domain before? When I saw the sum of £2.7 million, I thought, how easy it is to actually just allocate our money to a policy that, yes, we all have agreed upon, but how come we do not apply the same principles to things that make a difference to people's lives in other ways. We have heard from Deputy Doublet and Deputy Catherine Curtis about the work that is going on in the Assisted Dying Panel, and I really look forward to seeing what the outputs of that are. The problem is that we are faced with a decision today about the Budget, about what we do with £2.7 million that has been identified for something that we have not yet had a debate on to close the loop on how and in what way we move forward. So this was merely an opportunity to say is it the right time to commit ourselves to spending that money now when we know that there are other needs around that could actually be satisfied very well by the investment in the care of carers and providing respite care. Deputy Binet mentioned that there is no needs analysis, and I agree with him. We have got very poor data on the number of carers and who should be eligible. I think the only data that we have got is the Social Security data. I think that is an issue because we do not really understand how much money we need to support carers and respite care, but what we do know is that if we redirected that money, we could provide, based on the numbers that are claiming home care allowance, that we could offer almost 77,000 hours of home care which is paid at a rate of £34.80 a week, which would allow people an opportunity to go and do something different as a carer away from their caring responsibilities. We could offer 2,150 hours of residential respite care, which means that relatives could be assured that their relatives will be looked after in a residential facility while they themselves looked after their own health and well-being. The sums of money that we are talking about are equivalent to 40 to 50 full-time carers, and how many times have we heard that we do not have enough people to deliver our healthcare? I would like to particularly point out the ... sorry, I would like to acknowledge the comments made by Deputy Miles, and what really is comforting by her response to this is that I think she gets what I was trying to do. I was trying to actually say could we just think about this, could we just take stock and rather than gallop away and rush into allocating a sum of money in a particular way, could we just take the foot off the gas, do the necessary preparation and in the meantime fund support for those where we know that need is obvious and immediate? Despite the criticisms or cynical views being that I am trying to deliver one of the oldest tricks, what I was trying to do was to introduce some elements of compassion into the debate about how we use money. Connétable Troy talked about the prevalence of carer support in our Parish. I am very privileged to work with him and fellow Deputies, and have witnessed the amount of effort, energy and organisation that goes into freely providing support for people who need assistance, all done on a voluntary basis.

[10:45]

Would it not be nice for us to be able to say: “We recognise that, here is some money, we will work with you, you come up with some ideas to give us an idea about how you could add quality to that, how you could add value further to what you are doing to support people.” Deputy Jeune talked about the difference between palliative care and respite care, and I acknowledge I think she is right to separate these 2 things out. The respite care is different because it is care that is needed when people are looking after their loved ones constantly on a 24-hour basis. When we hear people say: “I could just do with a day off” or: “I could just do with a break to relieve myself of the care and responsibilities”, that is what we mean by respite. Palliative care is clearly very well-defined, and I do not particularly want to revisit the definitions here. But, for me, funding respite care is an important part of how we prepare those people who are otherwise engaged in looking after vulnerable people who may well also need at some point palliative care themselves. The final thing I just want to comment on is Deputy Bailhache’s reference to the figures, which are not available to tell us, just exactly how much assisted dying is going to cost. One of the things that we do know is that, and based on some estimates, respite care is an investment that will probably cost the Island between £2 million and £4 million, based on the number of people that need it. The fact that they provide that unpaid care saves the health service millions of pounds and when I have looked at some of the estimates, some of that goes into a £16 million, £17 million saving for the health service. As far as I am concerned, making a decision about how you shift the way in which money is allocated around the care sector can be quantified in some areas, but I acknowledge that going forward the figures around the assisted dying costs cannot be identified. Deputy Coles talked about money being used in different places and the mechanics for it. I think what we have got to be mindful of is that behind any proposal for assisted dying or any proposal for respite care, there are people involved. There is an old principle that money should follow people and not the other way around. What I am trying to establish here through this amendment is to say, we have already decided that there needs to be money for an assisted dying service and that is going to be under the remit of the Assisted Dying Review Panel as to how they assess and analyse the funding. But what we have not done is we have not committed anything other than through the Social Security funds to how we will actually support respite care. This is one of the things that I was trying to suggest that we could do in the interim. Deputy Barbara Ward talked about the fact that she could not actually make a decision because of the Scrutiny process. I think Deputy Doublet wants to complete the work on the assisted dying principle and the reason why she is abstaining is because I think it puts her position around her decision-making in a difficult place, and so I respect that. But I would urge people to think about the principle of why I am proposing this, which is not to wait for a Scrutiny Report, but to actually decide is it feasible and is it an option that we have got available to us to consider moving some of this money into need and care that is needed now. I think that is all I want to say on that. If carers stop caring, I do think that we would be averaging around an additional £15.5 million burden on the health service. I just ask Members to think about that and to consider whether or not this amendment, if we did make a choice to move some of this money, would actually alleviate some of the cost burden on the health service in meeting some of the needs that they clearly will not be able to address if it is not supported and they do not receive the necessary recognition for the work that they do. I call for appel.

The Bailiff:

Thank you, Deputy. The appel has been called for. Members are invited to return to their seats. Deputy Wilson.

Deputy K.M. Wilson:

Sorry, Connétable Troy has just reminded me about whether I would consider taking this amendment in 2 parts.

The Bailiff:

It is your decision, yes.

Deputy K.M. Wilson:

I am happy to do that, because what I do want to make sure is that we can secure some money for respite care, if Members would allow me to do that.

The Bailiff:

Yes, all right, so we are taking the amendment in 2 parts, part 1 and part 2.

Deputy R.J. Ward of St. Helier Central:

Sorry, Sir, if may ask for a point of order. Can I just ask how that is possible given one is money and the other is the head of expenditure? I am just curious. I could be wrong, obviously.

The Bailiff:

Deputy Ward, I see what you mean. Nonetheless, I think, on balance, they can be voted on separately. They both deal with the funding for respite care, which we know from the report incorporates palliative care as well. The first paragraph deals with the spending for next year only and the second part deals with the next year and 2027, 2028 and 2029. But, on balance, in my view they can be voted upon separately. Thank you for raising it because there is validity in what you say.

Deputy I.J. Gorst:

While I absolutely agree with your ruling, my reading is that if one separates the votes it is quite difficult to separate the allocation either to or from assisted dying from respite care in the way that the Constable of St. Clement seemed to indicate a separate vote might do. They simply are either one year or future years, not the separation out of the allocation or use of the resources.

The Bailiff:

Yes, that is correct as well. So we are now voting on part 1 of the proposition and I ask the Greffier to open the voting. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Part 1 has been rejected:

POUR: 9		CONTRE: 31		ABSTAINED: 3
Connétable of Trinity		Connétable of St. Brelade		Deputy L.M.C. Doublet
Connétable of St. Ouen		Connétable of St. John		Deputy Sir P.M. Bailhache
Deputy I. Gardiner		Connétable of St. Clement		Deputy C.D. Curtis
Deputy I.J. Gorst		Connétable of Grouville		
Deputy K.L. Moore		Connétable of St. Mary		
Deputy D.J. Warr		Connétable of St. Saviour		
Deputy H.M. Miles		Deputy G.P. Southern		
Deputy R.S. Kovacs		Deputy C.F. Labey		
Deputy K.M. Wilson		Deputy M. Tadier		
		Deputy S.G. Luce		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy L.J. Farnham		
		Deputy S.Y. Mézec		
		Deputy T.A. Coles		
		Deputy B.B. de S.V.M. Porée		
		Deputy M.R. Scott		
		Deputy J. Renouf		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		

		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy L.K.F. Stephenson		

We now move on to Part 2 of the amendment and I ask the Greffier to open the voting. If all Members have the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that part 2 of the proposition has been rejected:

POUR: 8		CONTRE: 32		ABSTAINED: 4
Connétable of Trinity		Connétable of St. Brelade		Deputy L.M.C. Doublet
Connétable of St. Clement		Connétable of St. John		Deputy I. Gardiner
Deputy I.J. Gorst		Connétable of Grouville		Deputy Sir P.M. Bailhache
Deputy K.L. Moore		Connétable of St. Ouen		Deputy C.D. Curtis
Deputy D.J. Warr		Connétable of St. Mary		
Deputy H.M. Miles		Connétable of St. Saviour		
Deputy R.S. Kovacs		Deputy G.P. Southern		
Deputy K.M. Wilson		Deputy C.F. Labey		
		Deputy M. Tadier		
		Deputy S.G. Luce		
		Deputy K.F. Morel		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy L.J. Farnham		
		Deputy S.Y. Mézec		
		Deputy T.A. Coles		
		Deputy B.B. de S.V.M. Porée		
		Deputy M.R. Scott		
		Deputy J. Renouf		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy L.K.F. Stephenson		
		Deputy M.B. Andrews		

1.2 Proposed Budget (Government Plan) 2026-2029 (P.70/2025): twenty-seventh amendment. (P.70/2025 Amd.(27)) - Childcare funding rate

[The following document was provided to States Members in reference to P.70/2025 Amendment 27]

Clarification on Amendment 27 (childcare funding rate) – key evidence on viability and risks

Dear colleagues,

Ahead of the debate, I wanted to clearly set out why my amendment is essential to make the 15-hour childcare offer workable - and why the proposed £11 rate cannot deliver the policy in practice.

1. £11/hour is not viable under today's costs

(for further details please see the Economy Department presentation in the Appendix)

The Government's own modelling shows a pure cost of £10.24/hour before inflation, cross-subsidisation and profit which should include sustainability and reinvestment. Since these numbers were collated, settings have faced –

- two minimum wage increases, with a third wage increase due in April 2026;
- further salary uplifts/rising qualification-linked pay; and
- significant rises in electricity, insurance, parish rates and other operating costs.

At £11/hour –

- nurseries are left with 7.6% to cover all remaining costs;
- around 4% of which goes to cross-subsidising baby rooms or places for 0-2 year olds;
- leaving approximately 3.6% for profit which includes sustainability, and reinvestment.

No regulated early-years provider can operate sustainably on a 3.6% margin.

This is why JEYA members cannot sign the agreement, and why the scheme is at real risk of not being deliverable.

2. Paying parents directly adds bureaucracy and cost

- The proposed reclaim model requires verification checks, attendance reconciliation, and coordination with tax and Income Support.
- This creates substantial new administrative overheads, rather than directing funds to the front line where care is delivered.

3. Parents will have to pay upfront and then reclaim

- Many families simply cannot pay large monthly nursery fees upfront and wait weeks to be reimbursed.
- This effectively turns a universal offer into a reimbursement scheme, excluding exactly the families we want to support.
- We already have evidence from after-school provision that paying parents directly leads to unpaid fees and bad debt for providers.

A straightforward, workable alternative

- A modest uplift of 50p, to £11.50, avoids new bureaucracy, prevents an unaffordable upfront-payment system, and provides a viable rate so settings can deliver the offer from January.
- Providers deliver over 75% of places; without them, the universal offer simply cannot function.

No new money required

This is a £137k reallocation within existing funds. Creating a new bureaucratic system will cost, might be the same, might be less, but it will be an investment in the public sector instead of supporting nurseries who deliver childcare.

A small, targeted adjustment that secures the success of a major policy for children, families, and the workforce.

Thank you for considering. Kind regards,

Inna

Appendix

Presentation from the Government of Jersey Economics Unit

 Economy

Gouvernement d'Jèrri

Childcare Offering in Jersey

Economics Unit, May 2025

Methodology



We have taken average prices and costs across all the model nurseries provided.

- Assuming 60% of available and open hours are occupied.
- This is with nurseries open for an average of 52.5 hours a week, 51 weeks a year.

Our methodology results in an estimated average pure cost per hour of £10.24 for 2-3 year olds, without any cross-subsidisation of babies or profit margin.

Uptake and total costs based on population projections by Statistics Jersey.

The Bailiff:

We now move on to the twenty-seventh amendment lodged by Deputy Gardiner, and I ask the Greffier to read the amendment.

The Greffier of the States:

Page 3, paragraph (b)(viii) – After the words “in Appendix 2 - Summary Tables 5(i) and (ii) of the Report” insert the words - “, except that in Table 5(i), the Head of Expenditure for the Central Reserve should be decreased by £137,000, to be allocated from the growth bid funding for Investment in Competitiveness, and the Head of Expenditure for Education and Lifelong Learning should be increased by £137,000, to be allocated to the funding line for Nursery 2-3 year-olds”. Page 3, paragraph (b)(xii) – After the words “as set in the Appendix to the accompanying Report” insert the words – “, except that, on page 42, in Table 9 – (i) the Head of Expenditure for Central Reserves should be decreased by £137,000 in each of 2026, 2027, 2028 and 2029, with funding allocated from the growth allocation for Investment in Competitiveness; and (ii) the Revenue Head of Expenditure for Education and Lifelong Learning should be increased by £137,000 for each of 2026, 2027, 2028 and 2029, to be allocated to the funding line for Nursery 2-3 year-olds, with any consequential amendments to be reflected as necessary throughout the Budget.”

1.2.1 Deputy I. Gardiner of St. Helier North:

There is one thing that I agree in the comments from the Council of Ministers, that the Assembly is rarely the best place to negotiate little technical issues, and that is precisely why this amendment was lodged at the last minute, just before the deadline, because I did hope that the Minister and the Council of Ministers would sit with the providers. I circulated this morning, as I know that it is really technical, page A4 and the presentation to the Members with the numbers to consider. I do support the policy and it is interesting the comments paper is saying it is disappointing that this amendment has overshadowed the positive policy which will be of significant financial benefit to families at a time when they are telling us it is what they need. I completely support it. I completely support the policy. It is nothing to do with the policy. I would say it is disappointing that the Minister for Education and Lifelong Learning did not meet for a year, from November 2024, with providers himself, with providers who will deliver this important policy. Until last Wednesday we all believed that the policy will be delivered through the existing established process that already works for N.E.F. (Nursery Education Fund) funding, direct transfer to the providers. But at the Scrutiny hearing - not last Wednesday, the Scrutiny hearing 2 weeks ago - the Minister unexpectedly announced a shift for paying to parents directly as he did not reach an agreement with providers. That was the moment when it was clear we are heading to unnecessary and problematic bureaucracy just because the numbers simply were not matching up. The £11 rate is not viable. Because I did not think this is the place for the debate, on Thursday morning I called the Minister, we did have a conversation, and I have heard from the Minister why any amendment should be lodged because it will disrupt the policy. But the only thing that I asked the Minister on that Thursday was: “Please sit with the providers, they are meeting your officers, meet with them and look at the numbers together. I hope you can find a way forward.” From that Thursday to Monday, which was the deadline for lodging an amendment, I genuinely hoped that engagement would happen but it did not.

[11:00]

Instead we have a proposal that bypasses the sector delivery of over 75 per cent and creates a complexity where none is needed. Let us deal with the evidence. £11 is not viable even using the Government’s own figures. You have the numbers and presentation in front of you, it is on the second page of the presentation, this page, and this was independently gathered by the Economy

Department, it was presented to the providers, and if you look at the column how much does it cost to provide 2 to 3 year-olds you can see the numbers. What was agreed, that £10.24 in that particular presentation is the net but it does not include cross-subsidy and it does not include profit. Since that modelling was completed, the sector had 2 minimum wage increases and another one will happen in April 2026. We know that electricity, insurance, food, Parish rates, water have also increased over the last year. Under the Government assumption £11 leaves 7.6 per cent for profit and cross-subsidy. Cross-subsidy; what is cross-subsidy? Zero to 2, they are much more expensive, they need at least 4 per cent and if we do not want parents who have children zero to 2 attending, and their prices will rise further, we need to have this cross-subsidy. This is how sectors work all the time. It means it is leaving around 3.6 per cent to cover of a reinvestment, wage increases and profit. No regulated early years' provider can operate on 3.6 per cent margins. It is not Jersey Early Years Association being difficult. This is arithmetically accurate and they are refusing to accept terms that could destroy financial viability of the provider's care. Another point, and it is a valid point, not all nurseries have zero to 2 provision, but it misses the point that 16 nurseries do have zero to 2 provision, and it is more expensive. What will be the consequences if we underfund 2 to 3 year-olds and the cross-subsidy collapses? How would you tell to the parents that actually zero to 2 will cost more? The Minister keeps saying some nurseries charge fees of less than £11. It is absolutely true, but what the Minister does not say in the comments, and this is crucial, you can charge under £11 when you have full-time attendance. When you look at the nursery fees, and they have only 15 hours of attendance, the fee is going higher, because to employ part-time is less sustainable and it costs more. An hourly rate is higher. All nurseries on the Island know this. An hourly rate for 15 hours is always higher than the hourly rate for full-time. The Government paper says £11 is reasonable, if nurseries think it is viable, they will sign. They have not. It is not because of the politics, it is because the maths do not work. Now, second thing to consider, and the Government repeats that the offer will deliver significant financial benefit to families. I agree, if families can actually access it, but families cannot access places if the provider cannot afford to deliver these places. This amendment is not about delivery, it is not about the theory. We can put 15 hours in the Budget document and we can write in lines in hand, but if nurseries cannot afford to operate on this fee, the offer collapses. But another argument, paying parents directly gives choice. It might be, but does give cashflow risks. What is important to understand for the public who is listening, if this amendment is not successful the families who plan from 1st January to use £660, it is approximately 15 hours of nursery at £11, they will need to pay upfront and have to go through the new government bureaucracy that would be created to get a refund. I know that the Minister in the comments put: "We will support the families who cannot pay upfront." How will this be assessed? Is it again only income support families? Would the families who do not receive income support, that have a mortgage and actually already plan on this £660, need to pay it and then somehow to get a refund? We already know that for after school provision parents have been paid directly and we know there are some after-school providers that are still trying to recover the debt. So paying upfront can create other problems. Direct payment to the nursery reduces admin for nurseries. Absolutely, but it will increase admin to the Government. Verification checks, attendance reconciliation, tax co-ordination, income support consideration, areas management, and also support for those who can pay upfront. This payment will have manpower implications. Think about it, the E.S.S.H. (Employment, Social Security and Housing) Department needs to be involved, Education Department needs to be involved, Treasury Department needs to be involved, and possibly charities and Parishes, as the Minister suggested in his response to an oral question last sitting, who can support the families who cannot pay upfront. This is the very bureaucracy that we are told the Government wants to avoid. It will maybe cost a bit less, but it will create unnecessary bureaucracy instead of supporting the businesses. The sector did accept the model. They rejected the rate because the rate is not viable. Instead of engaging with them, it was easy just to say they will need to get on and will find a new system. This amendment provides the simplest, cleanest solution. A 50p uplift an hour, costing £137,000, avoids new bureaucracy, new admin structure, parental upfront payment burden, provider risk. A hybrid rollout will cost more to

administrate and destabilisation of the early years workforce. The real question before Members, do we invest £137,000, tiny adjustment to £1.35 billion budget, to ensure the childcare access placement promise, parents are not forced to pay upfront and reclaim, nursery can operate sustainably and the early years policy does not fail on day one? Or we will build a reclaim system that costs a bit more, is harder to administer and risks excluding the very families we are trying to support. I am looking forward to hearing Members' comments and questions.

The Bailiff:

Is the amendment seconded? **[Seconded]**

Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

Sir, I wonder if, before the Minister starts, I could just put on record that I do have a young child who would benefit from any free hours in the coming years. I do not believe, because it is a shared interest with a large number of people, it would prevent me from voting, but I would like it on the record, please.

The Bailiff:

Thank you very much, Deputy.

1.2.2 Deputy R.J. Ward of St. Helier Central:

I say to the Deputy, I hope we get it through today for you; it is very important. I expected the narrative that we have had before about not communicating. I was going to leave it, but I will just say one thing. We have had a lot of criticism of civil servants in this Assembly. I would like to praise the civil servants, the staff who have worked on this for 7 months, taking clear direction from myself and met with the sector up to 30 times now in order to come up with a scheme that could work. Therefore, I trust those members of staff to do their job. They are paid to do their job. They do their job very well. That is exactly what we should be doing in making decisions with clear direction from myself. I have not received a single request for a meeting. I am happy to have a meeting at any time, but it will be exactly the same process. It is an effective use of my time and I would call it leadership. But let us be more positive, because this is a really positive project and this is what we need to look for. So I want to explain why we should oppose Amendment 27 concerning a childcare funding rate for 2 to 3 year-olds. The proposed cost of this amendment is £137,000 per annum, however, because it will increase by inflation, that increase will be greater over time. This is funded from Investment in Competitiveness, so it takes away from a fund that looks to address those areas of our economy. While I appreciate, to some extent, the intention behind the proposal, I urge Members to consider the facts correctly. I am not going to go over the point about when I was contacted, I think we will leave that and let us move forward; let us be positive. First, some background. Our policy aims remain clear and unchanged, to maintain choice and to increase the availability and accessibility of childcare, to continue improving outcomes for children under 5, to ensure quality across the early years' service and to reduce the cost of childcare for parents and, importantly, to invest in Jersey by creating an early years childcare system that attracts people to work and return to work here. Our intention is simple, children and families should benefit from this financial assistance in early 2026. I must address the idea that simply accepting this 50p means we can just roll out a N.E.F. system with no bureaucracy is completely incorrect. It will delay the entire system for months and we still do not have guarantees that will be accepted. I will come to that later. But where we are now is we are at a stage where this is a reality. We are about to deliver these hours. So how was that rate calculated? The economics team in the Department of Economy worked independently of C.Y.P.E.S (Children, Young People, Education and Skills) alongside the Jersey Early Years Association to determine the cost of providing childcare for 2 to 3 year-olds. After considerable analysis, they agreed a base rate of £10.24 for a specimen nursery. This includes staffing to regulatory requirements, very important, utilities, rent, insurance, and additional roles such as

S.E.N.C.o. (Special Educational Needs Co-ordinator), driver and chef. Staffing costs were typical of the sector and above the living wage. To allow for inflation and sustainability, the proposed hourly rate was increased to £11 per hour. This rate was index-linked to R.P.I. (retail price index), with the next increase scheduled for September 2026. This is far from setting the lowest rate as was suggested, and builds in inflation. While the calculated rate is not felt to be financially viable for some settings, it will significantly reduce the financial burden of childcare costs experienced by families. Parents will be able to access up to £6,270 per child, which will be considerable support for them. This demonstrates that we have listened and are responding to their concerns. I must talk to Members about cross-subsidy and reserves. The amendment refers to cross-subsidies. The cross-subsidy is a fund to fund extra monies for nurseries that take babies. However, 12 out of 28 early years settings do not care for children under 2, so they would not require additional funding for cross-subsidisation. It must also be asked whether the money directed for 2 to 3 year-olds should be used for this purpose at all. We are funding a 2 to 3 year-old offer. That is what this money, this government money, this public money, is for. Additionally, not all settings employ drivers and chefs, so it does not make financial sense to increase the hourly rate for settings that do not serve age groups under 2 year-olds, nor have drivers or chefs. The amendment also mentions reserves. The £11 rate already includes an element for sustainability. It is neither appropriate nor reasonable for Government to allocate future reserves for private businesses. This is public money that we must ensure is used for the best possible purposes, in this case the payment for 2 to 3 nursery hours. We do not see the books of nurseries; there is no way that we can access those books. We went through the process with some nurseries to come up with a flat rate. I think the data that we have produced today, that was circulated by the Deputy, has no firm basis. Our research shows that the average hourly price charged across providers is £10.10. Five of the 7 settings charge up to under £11 for all session types, for 2 to 3 year-olds, all session types. Therefore, the Government's proposed rate, supported by economic analysis, is both reasonable and appropriate. Paying parents. Let us talk about the direct payments to parents. Paying parents directly, and this is in order to get this scheme up and running, has become a much better system the more that we have worked on it, much more flexible. I will explain why. It increases parental choice, flexibility and maximises parental benefit addressing affordability and constraints directly. By paying £11 for 15 hours, those nurseries that do charge less, and there are many, the actual number of hours accessible by parents might be slightly more. It gives them more flexibility and if nurseries charge slightly above £11, the parent is paying the extra 50p for 15 hours rather than the £11. That is the simple mathematics that we need to understand, and that direct payment allows parents to do that.

[11:15]

It removes also the term time constraint and any confusion over the 15-hour cap. It allows families to budget and access care year-round should they choose. It is real help in parents pockets where they need it. It could also allow in the future access for nannies, as suggested by the Scrutiny Panel. Nannies are not just for the very, very wealthy, there is a benefit if you have 2 or 3 children to employing somebody; it makes sense. It can actually be less expensive. That ability is there but we have to get the scheme up and running first. We have to take action. Very importantly, it includes childminders for the first time and the dialogue with them ... and I have had exactly the same level of direct dialogue with childminders and they have had exactly the same level of dialogue with officers, but do not seem to have an issue with that but see the benefit of this system, which I welcome. It simplifies implementation. For example, it can be uprated annually rather than subject to sector negotiations or, as we are doing today, setting the rate on the floor of this Assembly repeatedly, just because somebody wants to bring that to the Assembly. Paying parents directly does remove the administrative burden for settings. Currently, for N.E.F., settings have to look at passports, they have to look at utility bills, they have to go through checking processes. I have been told directly when I visited settings that the work being required of them was underestimating that calculations can be onerous and time-consuming. With this process, providers simply do what they

are doing now. They provide the hours and give a receipt to the parents. That is the sum total of the work that the sector has to do. It allows also the Child Care and Early Years Service keys to focus on promoting high quality in practice and adhere to regulations. That is the job that they have. That is what those civil servants are employed to do and do so well. This frees them up to do that. I recognise about parents who cannot afford to pay upfront. I do not know what the latest figure is, between 85 per cent and 90 per cent, I believe, of nursery places are already allocated, parents are already paying. So for a large chunk of parents, they understand that. I have spoken to quite a few parents, some who have been quite pushy and said: "Please, can we get this working?" and I have said: "Yes, we are doing our best." They are quite happy to have something in 2026 that gives them the entire payment. If it is not upfront, that is not the end of the world, they see it is coming and they can budget. When you have children, and I am sure you know this, you budget for that. This can be managed. But I do recognise that some parents need financial support. This is already happening. We have got really good relationships with groups that help parents. The Jersey Child Care Trust is just one example. There are others. I have been incredibly positive about the way that they can support this and help with this. I will ensure that there is a simple process to help these parents. My team are actively discussing options and processes with the partner organisations to make this happen. I also know, from conversations with Constables, Constables already do this, Parishes already do this, they help parents out when they are struggling. This is the first opportunity where they will get an opportunity to get that money back, which I think is a really positive move forward. One of the benefits of piloting direct payments to parents is that we can be fleet of foot in testing and learning different ways to offer support. I see this currently as a year's pilot programme. I personally think it is always best to do a 2-year pilot, so you can iron things out as you go. But as we have done with all of the pilots ... perhaps 3 years, depending on what certain people need for their children. I am getting that look, of course, I completely understand that. I think we can work on ways to offer support. I urge Members to be really careful on the narrative around this. Headlines and comments that scaremonger do not help parents that we want to support, that we want to identify. I know there are unregistered settings that offer childcare of a standard that we do not want. When we find these we close them. To parents in these settings I will say, please, come and speak to us; we want high quality care and you can now access 15 hours. There are ways for the smaller number of parents that we can support; it already happens. This will formalise that and it will make it happen simpler. There was a parental survey carried out by ISOS with 1,250 responses in October 2025; 95 per cent of parents surveyed feel the affordability of childcare in Jersey is very poor or poor. This can lead to difficult choices as to whether it makes economic sense to go out to work and pay for childcare or stay at home and provide childcare. This has never been more important that we start this process now, and to constantly re-enter negotiations with a few members of the sector is not going to get this in place. There are lots of other details, I will not go through them all because I know people want me to get on with this but I do need to explain this carefully. It was the ISOS round table report: "The development benefits of high quality early education and care for children aged 2 to 3 are well-attested in the international evidence base and are particularly critical for those children from disadvantaged backgrounds." What we have done in the last 18 months is entirely in line with our C.S.P. commitments. We have delivered an extension of nursery and childcare provision to children aged 2 to 3 with additional needs. We have delivered successful pilots to access unused places in our primary school nurseries. We have delivered a review of the availability of spaces in St. Helier, and we have delivered phase one of the sector to improve recruitment, retention, training and development. We can deliver a scheme that is within a hair's width of a universal offer to 2 to 3 year-olds. In summary, while the proposal will suggest a modest uplift may satisfy some providers in the short term, it prolongs debate and distracts from the real goal, ensuring access to high quality provision for children. It is concerning that the Deputy suggests £12.08 as the true cost, but proposes £11.50 as a compromise. Where will we actually end up in these very public negotiations? I do not believe it is appropriate for fees charged by private businesses to be decided on the floor of this Assembly. This policy is about delivering for children and families. Let us focus on the positive

difference this will make. I urge Members to allow me, supported by the Council of Ministers, to proceed with direct parental payments so families can benefit from this much-needed support as soon as possible, so they can get a full year's benefit of the system I am proposing. I urge Members to let me get on with my job. Please reject this amendment so we can move forward.

1.2.3 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

I am getting a little bit confused by the tone that the Minister has just set, and I just want to understand if we are not getting ourselves in a twist, if I am allowed to say that. I was going to say something else but I thought that was unparliamentary. I am keen on supporting as much support as possible to parents with children, especially young children, to also support parents to get back to work and to be able to have affordable childcare. It is in my manifesto, I am absolutely for this and I am not understanding why the Minister has talked about scaremongering because Deputy Gardiner is trying to get more money to parents to help pay for childcare. But, as the Minister has just said, there are huge differences between nurseries because there is a mixture of non-profits, public, private, also we are saying there is an expansion to childminders. Also, as Deputy Gardner said, costs to those businesses, whether it is an individual, whether it is in a place, is going to be very different depending on whether they are community-based, they do not have to pay rent, or they are in somebody's home versus having to have a specialised building. All these costs are different and so what we are hearing from some nurseries is that they are saying that their costs at £11 an hour would not be sustainable for their business. But should we not think about it in another way? Maybe we should not be saying it should be ... now the Minister has said it is up to the parents, the parents are getting the money not the nurseries. Should we not be saying it should be a lump sum to support parents to get funding? Instead of saying it is 15 hours a week or £11 an hour ... I think this is where we are getting stuck, because if we are saying it is £11 an hour but we are saying to different businesses £11 an hour is different. Sometimes £11 an hour will cover a childminder or it would cover the costs of providing support to a child and in other cases it will not. That is what business is about. It is market forces, it is what happens. If the Government is wanting to support parents and help with childcare should that not ... instead of maybe putting aside very specifically focusing on £11 an hour for 15 hours a week, we say there is a lump sum, the Minister talked about - I do not have the figures in front of me - £6,000-something a year. Should that not be what we are talking about here and we then decide whether we want a little bit more for the parents that Deputy Gardiner maybe is putting forward, an increase like that? So we can get away from trying to dictate to private businesses how much they can charge per hour for a child. Because £11 an hour, that is what we are trying to say and I think that is what the issue is. Some businesses are saying £11 an hour is unsustainable for them, and potentially the Minister is saying that there are other businesses that are saying that £11 an hour is chargeable. So why are we confusing and conflating all these issues and just say that actually, at the end of the day, what we are wanting to support here, or I am wanting to support, is a certain amount of money per year helping top up parents to be able to afford childcare. It is up to the parents to decide where they send their child to nursery and they could then shop around and see - and of course it depends on spaces, but is that not the market as well - to see where they can then, with that amount of money plus of course the extra ... I think the Minister also mentioned that it is up to the parents to top up the rest. They could then go to different nurseries and then that money could be 12 hours a week. It could cover that because it may be that nursery is providing more facilities, *et cetera*, so therefore that cost is different. Or you could go to another one, and it could actually be providing 18 hours a week. So that is why I am a bit confused where this whole discussion is happening because, ultimately, at the end of the day, if we are wanting to support parents we should just give them a lump sum that the Minister has put forward or we are now with Deputy Gardiner, and I would like to understand if that - with her increased proposal - would then go to the parents so then that is an increase. I do not really understand the situation. There is an increase to the parents and then it is for the parents to decide how they can stretch that amount. So maybe we should move away from saying £11 an hour because, as we have heard from nurseries, it is not the right true amount.

The Bailiff:

Minister, if you want to, you are allowed with the consent of the last speaker to explain something that you have said if you want to stand up and do that. Yes, you can do that.

Deputy R.J. Ward:

Thank you. The 15 hours is to pin on the number of hours of nursery care. From all of the research and all the work that has gone before, the suggestion is for 2 to 3 year-olds the best number of hours is 15 hours in nursery. When you do that, you have to have a rate per hour otherwise you end up with 15, 20 different rates. So we have an average rate, which I think is a very fair and healthy one. That is where that figure comes from. What the Deputy is talking about is a lump sum; it is a different model of doing this. It might be something that happens in the future absolutely but the 15 hours, that is where that figure comes from. By paying parents directly we obviously take the average. For most of them it will be 15 hours because the difference is minimal, so it might be an extra 20 minutes, so to speak, but for others if it is worth more than that, the 15 hours have to be topped up with a small amount of money. That is the way that system will work and that is why you get flexibility. I hope that explains where the 15 hours comes from. If we had an N.E.F. system you would be paying directly for 15 hours but, unfortunately, it seems that some nurseries do not want to buy into that at the moment. If we were to re-establish that now, it would take months, and we would not be able to start this process. It is a very good trial to start in paying parents directly, because it gives the opportunity that the Deputy is talking about into the future. I hope that helps.

The Bailiff:

You can ask a point of clarification of the last speaker, but not the Minister. We are not opening question time.

1.2.4 Deputy C.D. Curtis of St. Helier Central:

I speak as the chair of the Children, Education and Home Affairs Scrutiny Panel. The extra funded childcare hours should be a good news story. For instance, the Office of the Children's Commissioner told the panel that they view this as a welcome measure that has potential to make a real difference for young children and their families in Jersey. Jersey Child Care Trust has also welcomed the proposal.

[11:30]

As a panel, we have brought recommendations on expanding early childcare support, including a successful amendment to the Government Plan in 2023. The panel was really pleased to see that there will be universal funded childcare in place for 2 year-olds. There is a lot of support for this provision. However, the panel is disappointed that there is still no agreement with the Jersey Early Years Association. During the last year the panel has had several meetings with J.E.Y.A. (Jersey Early Years Association) and the childminders' association. We have visited private nurseries and the pilot provisions. We found the standard of childcare in the Island to be very high quality. Jersey has more expensive childcare, but it also has better quality childcare. We are concerned that any pressures placed on nurseries should not result in lower standards. We see this in the U.K., with tragedies resulting from poorly managed nurseries and unsupervised staff. For example, 9 month-old baby Genevieve, who died from asphyxiation while left unattended. There have been more than 20,000 reports of serious childcare incidents in England's nurseries in the past 5 years. I am not suggesting that this might happen here, but I am confirming that the safety and quality of nursery care must be the highest priority in any decisions. No nursery is better than a poor nursery. It was expected that the extra funded early hours would be processed in the same way as has happened for 3 year-olds, but now that is not the case and the panel is concerned that parents are unsure now how to proceed and concerned that parents may have to pay upfront for childcare. In my own constituency work, I am already helping 2 separate families who, through no fault of their own due to changed

circumstances, owe a large debt to a childcare provider for wraparound support. Before I heard of this disagreement with the Jersey Early Years Association, I was in discussions with the childcare provider about the possibility of changing the current process so that the income support payment for afterschool and holiday support could be paid direct to the provider. To me, it seems that the best way to fund the extra early years' provision would be through the N.E.F., but it may be that the Minister has a much better way, in which case the Scrutiny Panel, and I expect all States Members, would like to know the details. To summarise, the panel has concerns about the planned route of payment, about the information to parents, about the administration of the service, the expense of the service and the fact that J.E.Y.A is not supportive. We have recommended in our Budget review that the Minister should undertake an urgent review of the funding rate, along with 3 other recommendations, which are to keep the panel updated, to include accredited nannies and to look into more flexibility on ratios for childminders. I personally cannot support this amendment from Deputy Gardiner because it brings a financial negotiation to the floor of the Assembly, which I do not think is right. I do, however, ask the Minister to respond to the panel's recommendations and that, even if he has refined an alternative process for providing this provision, he will undertake to personally meet with J.E.Y.A. urgently.

1.2.5 Deputy L.V. Feltham of St. Helier Central:

I am pleased to follow the chair of the Scrutiny Panel because she made an incredibly important point around not bringing negotiations to the floor of this Chamber. I just want to put that in context for other Members about what kind of risky precedent supporting this amendment would set. For example, the method that the Minister's team has used to come to the proposed hourly rate is incredibly similar to the method that was used to agree an hourly rate for providers that provide care that we fund through the long-term care packages. If we set a precedent today in this debate, in saying that providers can lobby States Members and States Members will bring amendments and propositions so that effectively negotiations that are being had around costs and funding from Government and what specific rates should be, can then come to this Assembly, that carries extraordinary risk. I have a number of teams within my department that are negotiating with different providers on a daily basis around different services; whether that be primary care services, as I mentioned, long-term care or pharmaceutical services. It is really important that the teams that are working on that negotiation can negotiate properly and without political interference. It is really important that we do not give in within this Assembly to inappropriate lobbying which brings such negotiations into the political realm, and I think from an efficiency and effectiveness point of view we would be sending completely the wrong message. Personally, I am really disappointed this amendment has come from the chair of the Public Accounts Committee because it sends entirely the wrong message about the way that we should be negotiating with providers. I urge everybody, on that basis, to vote against this amendment.

1.2.6 Deputy H.M. Miles of St. Brelade:

I would just like to point out that I am a member of the Children, Education and Home Affairs Panel so I have been working on this with our panel and I echo the comments of the chair, however my comments now are my own views. I do not think this amendment has been brought as an attempt to derail government policy. I see it as an attempt to save it. It has been brought forward because the Minister has not yet secured agreement with the very sector he relies upon to deliver his flagship early years' policy. Without the sector's participation this policy simply cannot be implemented, as predicted, in January 2026. The Council of Ministers say the amendment overshadows a positive policy but in my view what overshadows the policy is the Government's failure to finalise a viable rate with providers and its sudden move toward an untested administrative model that places risk on parents and uncertainty on nurseries. This amendment provides stability that the policy currently lacks. Indeed the Minister now seems to suggest that this is a pilot policy not a firm policy. I just wanted to address some of the issues that have been raised by the Council of Ministers. The first one

is that the amendment compromises the ability to deliver the offer in January 2026. In my view, the greatest threat to delivering this policy in January is not to this amendment, it is the inability to secure participation from the early years' sector who have unanimously stated that £11 per hour is not viable. I have not heard from the Minister a satisfactory explanation as why he personally will not meet with J.E.Y.A. You cannot deliver a universal offer when the universal providers cannot afford to deliver it and the amendment is the solution in my view, not a barrier. The second issue that is raised is the £11 rate is evidence-based and includes sustainability. The base cost of £10.24 was only that, a base; and the Government modelling excluded the cross-subsidisation, inflation, above inflation rises in food, utilities and insurance, and sustainability margins. These are not optional extras, they are the realities of running an essential public-facing service. The Government's own early years' research report confirms cost pressures and deep sustainability concerns. £11.50 is not generous, it is the minimum workable compromise supported by data and experience. The Minister went on to say that cross-subsidisation is irrelevant. I actually think it is highly relevant. Settings that take under-2s, which are actually the majority, must cross-subsidise the age group. Squeezing one part of the age range destabilises the entire business model and sustainability is not age-specific, it is systemic. The comment that market rates show providers are charging less than £11. Those market prices are for full-day sessions, which blend costs across the age group and the hours. They do not reflect the true cost of a ring-fenced, Government-funded 15-hour entitlement. Government's own modelling, which we have been provided with today, reveals the real cost base. I also want to challenge the issue that direct payments to parents are beneficial. Paying parents in arrears introduces enormous risks. We have heard that families cannot afford the upfront fees, although there is a suggestion that Parishes and charities should help with that. Nurseries face cashflow instability. Unpaid fees become uncoverable, and the chair alluded to this. The model has already failed in practice. Providers have been left with significant debts that they cannot recover because parents have been paid directly. The administrative complexity will increase. There is going to have to be a new system, and also tax and income support complications arise. So instead of solving the viability issue, the Government is proposing to build an entirely new administrative system, at a new cost, with new risks and I think that this amendment avoids that by reinforcing a model that already works; the Nursery Education Fund. We are also told that J.E.Y.A. was unwilling to accept the offer. J.E.Y.A. represents 75 per cent of the early years' provision for 2 to 3 year-olds; that is not a few members as the Minister asserted. If they cannot accept the rate then it is the rate, not the sector, that is the problem. You cannot achieve a universal offer by sidelining the group that provides the majority of universal care. The Minister talks about leadership but what about followership? There is no point in leading your troops to the top of the hill if they do not follow you. J.E.Y.A. are not following you. Parents want affordable childcare; yes, of course they do. But parents will not have affordability. If nurseries withdraw from the scheme, fees rise for other age groups, small settings close and that they have got to pay upfront and wait significant amounts of time for reimbursement. Affordability for parents depends on the viability of providers, and they are not opposing goals, they are inseparable. So what this amendment proposes is actually a very small uplift, which will have a huge impact. For just £137,000 this amendment will stabilise the delivery model, prevent unnecessary bureaucracy, protect families from upfront costs and actually keep nurseries financially secure. It will also ensure that the 15-hour offer can be actually delivered across each Parish. It is a tiny cost within the £3 million programme, yet the impact would be profound. I think this amendment is an investment in children, it invests in local small businesses, and it certainly invests in the early years' workforce who ensure the quality and the continuity of care to our children. I do not think it is an indulgence, it is a foundation on which the Government's promise stands. At this moment, I think the Assembly faces quite a simple choice. We can choose a policy that works in theory or we can choose a policy that works in reality. We can choose to listen to the spreadsheets or we can choose to listen to J.E.Y.A., the people who feed, teach and care for our children every single day of the week. We can choose the administrative convenience of Government or we can choose the practical realities facing parents and nurseries across the Island. We can choose to build a more complicated an untested system or

we can choose to build a better one that already aligns with the Nursery Education Fund. For those reasons, I will be supporting the amendment. The amendment does not ask for a revolution in childcare, it is a 50 pence uplift - just 50 pence - to prevent a good policy from falling before it even begins. It asks for fairness, it asks for practicality and it asks for partnership. For these reasons, and for the families that are counting on us, where I have been on the fence for other amendments of this Budget I am quite clearly off the fence on this one and I am choosing to support it.

1.2.7 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

I am very pleased to follow the previous speaker who has made a very clear case for this amendment there. I also cannot help but feel like there are some similarities here today between some of the discussions and the teacher negotiations that have previously been brought into politics on the floor of this Assembly as well. At the beginning of this debate I did make that declaration that I do have a young child.

[11:45]

So I do see the pressure on the nursery system every single day, and I do not want to go into details about it but I see it, I have witnessed it as a parent, and I have felt that. It is a difficult situation and we have seen it in the media, we have seen it with nurseries closing rooms, we have seen temporary closures, permanent closures, people saying that if they do not get enough staff then they will have to close. As a parent, that is incredibly unsettling and worrying as well. I have certainly had experiences in the past where there is not really a huge amount of choice about where else to go. It is not that one provider is struggling, it is a sector under pressure. This is actually a really vital sector in Jersey and if it starts to fall down then lots of other things are going to very quickly follow after it. I wanted to just provide that insight as well. The other thing I would say, there was some talk in some of the earlier speeches, I think Deputy Jeune and the Minister as well, about parental choice and if there was a certain amount of money paid to parents, then they would have a choice about how they would go out and spend it. That is all well and good and I support that kind of choice. But just stop and think for a moment about what choices there really are for parents? Think about things like the location, the logistics. Very quickly it narrows down your choices in a nursery market that is not huge in Jersey. In my experience, and it is a sweeping statement, I will not try to claim any numbers or names to back it up, but having done a lot of personal research for obvious reasons in this area, a lot of the nurseries that tend to charge lower rates also have shorter days. For somebody working a 9.00 a.m. until 5.00 p.m. day they cannot pick their child up at 2.30 in the afternoon, as some of the more traditional nurseries are often not for profit ones as well, so are able to charge a slightly lower rate. You do not have that choice to go to them. Consider the hours, the location, then you start to think about what you want for your child and the type of setting you want them to be in for. Do you want to be packing a packed lunch for a one year-old everyday who does not really know what they like or do not like or do you want them to be trying lots of different foods that maybe you do not always have the time to cook for them each morning or taking a flask and the logistics of that? There are an awful lot of things, some very serious, some very individual to people that go into making those choices. The choices really do narrow very quickly there. I am concerned, as others have said, about the claim-back system that the Minister is proposing, for very similar reasons to previous speakers and to Deputy Gardiner herself. The Minister has referred to being able to support struggling parents, how Parishes sometimes do. I would just say there as well that that relies on asking for help and that is not always easy. We have seen that time and time again in all sorts of systems. It relies on somebody being willing to ask for help, and that is sometimes quite a difficult barrier to get across first. I would also just like to take the opportunity though, while we are talking about nurseries, to just say thank you to all of those who are working in this sector. I often joke to the staff in my own child's nursery that I just do not know how they do it, to have all of those children under their care in one day and give them, in most cases, a very wonderful experience every single day of the week and then go home perhaps to their own children but also their own lives. Absolute

credit to them in a sector that is not exceptionally well paid as well and there are all sorts of pressures. I just think it is important that we recognise them within this debate as well. Finally, and we heard this a few times yesterday, yes, I appreciate it is the game of politics that lots of people are here to play but we heard that this is the Government that finally has done X, Y and Z and finally we are getting this over the line. Yes, this is the Government that will get some things done. It will be able to say that at the end of its term and claim certain policies. But we are in the unique position in this Assembly today that this is a term of office that has had 2 Governments. In my experience with Jersey politics, but Jersey more generally, change and new things take time. We do not change in Jersey very easily or very quickly and often it is a process that takes a long time. There have been 2 Governments in this term of office and 2 Governments that have been working on providing extra funded childcare for parents in Jersey. Before I finish, as well as thanking from a parent and from a Member of this Assembly, though the current team and the current Minister and his officers for all of their work on this, I would also add my thanks to Deputy Gardiner, his predecessor and her previous Assistant Minister, Deputy Doublet, who I know worked extensively on this project, whether it has come to fruition in the same way as theirs would have, I do not know. But the groundwork, nevertheless, is important and, as I say, change does not just happen overnight. I think this has certainly been a process and I think I will leave it there.

1.2.8 Deputy A.F. Curtis of St. Clement:

I am a little confused on this one. I would be genuinely interested in understanding where the difference of opinion is and if I have made any misunderstandings in how I understand the lay of the land and the policy. Deputy Jeune stood up soon after the Minister and described what I thought to be what the Minister described as well, very similar. I know that what we are describing is 15 free hours but in some ways it sounds like we are describing 165 hours of cover per week delivered at around £11 an hour. I conversed with the Minister, I hope he does not mind, by email to confirm that and his words himself talked about flexibility. There could be a chance somebody who paid for nursery care at just under £11 an hour would be able to get slightly more. I am not too sure why we need universal support from providers to the rate of funding because this sounds like it is a way of helping parents afford the funding for their education, not fund directly. Mention was made by a few speakers, Deputy Miles most recently, about nurseries withdrawing from the scheme. Again, this is where I genuinely would appreciate Members correcting me where I am not fully understanding. But I am not sure where nursery providers interact with the scheme. It sounds like nursery providers provide a service to parents, which was the Minister's description, and parents go in arrears and request it through the Government scheme the money. The Minister described a scenario in which nursery fees may charge more and then parents would bridge the difference. If it is the case that, as Deputy Gardiner says, many nurseries would need to set their fees at £11.50 or equivalent, parents are being asked to pay 50p for every hour of the 15 hours, I do not necessarily see what is wrong with that. The whole intention of the policy is to enable parents to get back to work sooner, to remain economically active developing their careers and a cost of 50p per hour for those who choose that kind of nursery would seem to me to be a life-changing amount, compared to where the policy is today. I may not understand the policy in full, and if that is not how it works then I have misunderstood how the Minister described it. I would appreciate anyone clarifying that. But to put that into perspective, if it was a nursery fee of £11.50 an hour, that is a 95 per cent subsidy on the rate in 15 hours or the equivalent of receiving, to the Minister's example of reduced hours, 14.35 hours of nursery funding a year. I genuinely cannot understand how nursery providers are saying that they would withdraw. If this is a case that the funding of £11 is insufficient for, say, half of the nursery providers to cover that and that they will be charging parents more, I am happy with that. I think this is a very generous scheme. I think it is a good scheme to get money in hands if we want this policy model. If it means parents are paying £1 an hour for an addition, it sounds like what we are talking about is a life-changing amount. The difference is by retaining this, it does sound like it is retaining choice. Again, I am really confused why there is such a difference of opinion over this

as to whether this means the scheme will run or not. It seems a large amount to support parents, compared to what they currently get. It is a really big difference in their funding and it gives choice. I hear a debate about the arrears model; it sounds like work could be done there. But the fact that we would be retaining a scheme decoupled from what nurseries need to provide a service, sounds like it provides more policy flexibility in the future. We may choose that a more sustainable model requires 80 per cent funding of 15 hours or 80 per cent of 20 hours and the way we invoice it is different. Requiring it to rely on the sustainability of 100 per cent free 15 hours at every nursery sounds restrictive. I say all this, not being the expert in here, trying to interpret a difference of opinion. If Members could clarify if I am mistaken that, in particular, should nurseries be charging more than the £11, that it would not just be a case of parents, in essence, bridging the gap of 50p an hour on an £11.50 hourly rate? I would be really appreciative because I personally am struggling to see where the difference of opinion is and I do not mind if parents do have to bridge a gap of 50p an hour on what is now going to be a life-changing amount of money to help them back into their employment sooner.

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

I am going to try very hard to collect my thoughts because I have a lot of thoughts on this. As Deputy Stephenson mentioned, that this is something that is very, very close to my heart. I was very grateful to be able to lead some work on this around Deputy Gardiner. Grateful still for the current Minister and the current Government for continuing that. I think we should not forget that, is that we are debating a detail of this policy. It is a real win, I think, for this Assembly and for the Island that this policy has been created and carried forward and that there is going to be something, and I think that is really positive. I am going to respond to the previous speaker who had some questions, I think. One of the things that the previous speaker said was that the main policy intention was to get people back to work. I just wanted to clarify that that was not the main policy intention, certainly not my policy intention. It may be an impact, an effect of funding some childcare hours. But as with all of my actions, the policy intent was to improve things for children and to improve outcomes for very young children. In terms of optimal child development, around the age of 2 to 3 the evidence shows that some time in a good quality childcare setting improves child development in areas such as language development, social skills, emotional development, and those benefits carry on through their childhood and improve their chances of high educational attainment. I think we must remember that when we are having this debate that we are talking about money and we are talking about profits and rates of paying for this childcare. But the main reason for us implementing this policy is to improve outcomes for the very youngest children in our Island and to invest in them at the earliest stage, which of course we do invest in 3 year-olds with the N.E.F. funding, many of whom attend our school nurseries. But this 2 to 3 year-old funding will be solely delivered by private nurseries. I think that is why it is difficult to get to an agreement because we do not have as much control over those private providers, and nor should we probably. Deputy Stephenson mentioned the people working in those nurseries, and I have the greatest respect for them, as well as putting forward a voice of children today. I also have experience running a nursery, albeit in a primary school and it is one of the most rewarding jobs anybody could ever do and such a privilege to spend time with the very youngest children. It is very hard work and a lot more specialised than people would realise. Children develop at such a fast rate in those early years and having a deep understanding of child development is critical. To come back to the detail of this amendment, 15 hours was chosen because it was the best evidenced amount of time. There is not precise research evidence on what the precise amount of time would be but it is around 15 to 20 hours at this age range. In terms of the cost, I think we must remember that many parents are paying for full-time nursery places. This is just the tip of the iceberg in terms of childcare costs.

[12:00]

We know that we have the highest rate of families where both parents have to work full-time, I think, in Europe. Many families are paying some of these rates, which Deputy Gardiner has very helpfully provided. I think the average cost of a 2 to 3 year-old full time in a nursery is £16,000, is that right, or £17,000? It is a lot of money. I do feel for the Minister, he is not in the Chamber but I am sure he is listening in one of the coffee rooms. I do feel for the Minister because a lot of negotiation will have been required to get to this point. I think he has done a good job to get to the point where he can propose something. To reflect on Deputy Jeune's speech, and she was talking about different ways of funding childcare, I think the answer is there is no easy way. When I was Assistant Minister with responsibility for this area I was very lucky to attend the British-Irish Council on early years and meet all of the other early years' Ministers from across Britain and Ireland. Because we were at the point of trying to work out how to fund this proposal, I asked them all and there was not a consistent response among them. Some jurisdictions fund their free nursery hours and their funded nursery hours by paying an hourly rate directly to providers. Some pay a capitation rate per child. Some pay a set amount to parents. When their child hits a certain age or when their child hits the school year or that they are going to turn a certain age, some jurisdictions give childcare vouchers, some jurisdictions run their own nurseries. It is completely different. I also did not find a single early years' Minister at that British-Irish Council meeting who had not had real difficulties in forming their policies in this area and who were really happy with how it was panning out. Not an easy policy area. One of the Deputies asked about providers charging a top-up or parents topping up. I am not even sure if this is something that is permitted under the terms of this proposition; if there is an Assistant Minister perhaps who could clarify. But, again, that is something that some jurisdictions allow and some do not. The reason for that is if you charge a top-up rate it can limit the accessibility for some families. Because there are some families in our Island that cannot afford any childcare at all and are, therefore, caring for their children themselves. Even a small top-up would prevent some families from accessing this who are maybe on the lowest incomes, on income support. Also, we need to bear in mind the fact that a lot of families are also paying for full-time hours. I am not sure if top-ups are allowed. You could limit the choice, if you have some really high-quality nurseries that are charging a chunkier top-up fee that might limit the choice for families from lower incomes to access those nurseries. I think what we want is the widest choice and the greatest consistency. To go back to consistency; one of the ways that jurisdictions can offer funded childcare hours is by running the childcare establishments themselves. This is something that Jersey does in the year above the year that we are about with the school nurseries. Some parents choose to send their children there. Some parents still do not though, some parents do prefer a private nursery. The reason for that is when you have private providers you get a greater range of different types of settings being provided. There are some that focus on Forest School, there are some that have a Montessori approach, there are some that focus on more formal learning slightly earlier; very different approaches. It is important that we maintain that choice at this age. I think it was Deputy Jeune asked about why we were doing this lump-sum system. I think the hourly rate is something that has been running with the N.E.F. scheme for the 3 to 4 year-olds for many years and it has worked fairly well I think. Deputy Miles covered the cross-subsidy. I want to talk about the data and I want to talk about the elephant in the room which is profits. Deputy Feltham touched on this because she mentioned how we should not be listening to lobbyists. I think we should listen to everybody. I think that we should maintain our core principles. My core principles are, what is best for children and what is best for the very youngest children? I think it is best for the very youngest children in our society that, given our current model of childcare that is provided by private businesses, we establish a rate and a funding mechanism that allows those private businesses to turn a reasonable profit; not a huge profit but a reasonable profit. I think Deputy Gardiner has pointed out in some of the numbers that currently with the cross-subsidy the profits available are around 3.6 per cent. You can get more than that; I think you can get around 4.1 per cent in a fixed-term savings account at the moment. Why would anybody want to run a private nursery at 3.6 per cent profit? With this 50p uplift, after the 4 per cent cross-subsidy, it makes an 8 per cent profit, which I have limited

understanding of this but I did try to educate myself. I am told that this is a reasonable and not an overly large profit margin. I stand to be corrected. I think we do need to talk about profit margins. I can see people rolling their eyes. I am happy to listen to other views on it. But also I think we need to reflect on other sources of evidence around what nurseries are providing. If we look at Isos Partnership reports: “Funding must reflect not just the basic childcare but also additional S.E.N. (Special Educational Needs) support.” That report called for: “A system-wide approach, an inclusive provision, workforce development, funding that covers children with extra needs.” I suppose I am talking to the nurseries as well, I think if this amendment succeeds today and there is that buffer, I hope that the Minister and the providers can work together. I really want us to have high aspirations for our young children in Jersey and I know that those aspirations are shared by all of the nursery providers. To harp back to another, years and years and years ago, the Early Years Policy Development Board, one of the recommendations we made was for qualified teachers in all of our nursery settings, which we have in the States nurseries but we do not yet have in the private nurseries, partly because they are struggling so much just to get basic staff. I think that we should be providing those private nurseries with qualified teachers. I think there are many different ways of funding and supporting nurseries to provide extra quality. I have really considered this because that profit margin, that did concern me, because I do not think massive profits should be made in an area such as this, but I do not think massive profits are being made. I would request of the Minister, and I hope that he does go and meet with J.E.Y.A. and listen to them, and I hope listening happens all round and that everybody keeps the best interests of children in mind. Also, we can be realistic about and be honest, I think, about profits and perhaps start setting some benchmarks. I am supporting this today. I think, as Deputy Miles said, it is the best chance that we have got of this policy succeeding and of it being available to as many of those 2 to 3 year-olds as possible on our Island. Bearing in mind the needs of those children and my desire to see this succeed, I think that this slight addition of funding to the Minister’s rate, I think it is reasonable and I think it is something that Members should support. Please bear in mind the best interests of children when you vote today.

1.2.10 Deputy J. Renouf of St. Brelade:

Just a few brief comments. Like those who said that the policy is a good one and that we do need to improve childcare provision and this will make a significant difference. I congratulate the Minister and the Council of Ministers for bringing the principle forward. I also congratulate the Scrutiny Panel on their robust comments and independence of thought. But I do think it is curious to hear the Minister for Social Security and Deputy Catherine Curtis argue that we should not negotiate the rate across the Assembly floor. In 2023 we will recall that Reform Jersey supported an amendment to the Budget from Deputy Catherine Curtis that would have attempted to resolve negotiations with the teachers’ union. It was, to quote: “Fulfil the required uplift for teacher pay allowing normal service to resume in schools”, according to the report. In other words, the entire point of that amendment was to resolve the unresolved teachers’ pay claim. Of course there were disagreements about that, partly on the grounds that that money would not have been enough to resolve the pay claim, which is not the case in this amendment. I would say to the Minister that he has had a lot of opportunities to resolve this. The Scrutiny Panel have managed to meet with the Early Years Association. The Minister argued that he relies on the work of civil servants and he praises the civil servants for their 7 months of work, and I am happy to endorse that. I am sure that they worked very hard but the fact is that a deal was not reached. At some point it becomes a Minister’s responsibility. It is surely his own fault that this is being debated across the floor of the Assembly. He has not reached a deal and he has not rolled up his sleeves to try and make the extra effort to bridge the gap himself by getting involved. I am looking forward very much to Deputy Mézec’s speech, as he is making furious notes to no doubt attack me. There is an interesting point that the Minister raised, which was that to implement this amendment would delay the system, delay its implementation. That is quite revealing because originally the implementation of this system depended on reaching an agreement. The Minister now says it will be more of a delay if he has to enact this amendment. That makes it pretty

clear, I think, that the Minister has given up on the payment to the nurseries. He has given up on negotiating the rate and he must have done so some time ago because he has put all his eggs in the basket of the payment to parents. In fact it goes even beyond that because it is beginning to sound as if the Minister is glad he has not been able to come to agreement about the rate. He talked quite a bit about what he thinks the advantages are of the payment system via the parents will be. It has become, I think, it is fair to say from his speech, his preferred option. My central point is the following, in order to save less than £150,000 the Minister is going to set up a new payment system. It will need to vet applicants, check the money being claimed is being spent on childcare, check that the right amount is being claimed, and it will need a payment system. There will probably have to be some kind of appeal mechanism for parents who feel their claim has been unjustly denied. He also said that there will be extra support for people who cannot afford to pay upfront. More bureaucracy, another system for applying consideration of whether those claims are justifiable, deciding how much support will be justifiable in those cases where people require an upfront payment. His backstop is that the Parishes can help people who cannot afford to pay upfront. I am sure that the Parishes will be an enormous help, as they always are. But the introduction of a new early years policy; that is not a policy, that is crossing your fingers. At a time when the Government is supposed to be saving money, is this really a sensible way to proceed? Is the Minister going to employ new people to do this or is he going to take staff who are already employed and presumably busy doing other work away from that work in order to run a payment system? Can the Minister say how much the bureaucratic system he plans to set up will cost? How much will it cost? £137,000 is the amount that would resolve this matter.

[12:15]

Is he confident that this new system will cost less than £137,000? He did not make reference to that in his speech, and I think it is a shame that he has been vague about the costs of this new system. We are supposed to be cutting the cost of bureaucracy. Has the Council of Ministers really interrogated in depth through its lens of increasing efficiency, cutting growth in Government in the expansion of Government, preventing expansion of State functions? Has it really examined this policy through that rigorous lens of its professed determination to stay on top of Government expansion? What we have here is a new bureaucracy just to avoid a tiny uplift in the rates, and I cannot understand why it is the case.

1.2.11 Deputy S.Y. Mézec of St. Helier South:

I just want to start by sharing an anecdote from my days as a law student, days I remember very fondly. I am sure you had a similar experience, Sir, although you were evidently a better student than me because you are sat up there and I am standing down here. But I remember the session we had where we did some negotiation training and they split us into 2 groups. Each got given mock details of a client. We had to nominate a lead negotiator who would go into the room with the person from the other side and try to do a deal, and I got nominated to be the lead negotiator for my team. I went into the other room and I sat opposite the other person and I said: "My client is concerned about this, concerned about that and their red lines are X, Y and Z and we are not prepared to go any further than that." The person looked at me from the other side of the table in disbelief and went: "Okay, we will take that." In an instant I realised I had just conducted the worst negotiation of all time. I had clearly gone into it with the wrong plan and wrong understanding of what the person on the other side was prepared to deal with. But that experience does give me 2 advantages. It gives me the advantage of having learnt from that experience about the dos and don'ts of negotiation and it gives me also, I suppose, the pleasure of knowing that at least if this amendment does go through today I will have the title for worst negotiation of all time stolen from me. Because it really is not sensible to attempt to have this kind of discourse about what funding we will go for, essentially, the same product with private businesses out there. One of the most dangerous things that we can see as public servants, as we are as politicians and custodians of taxpayers' money, is that scenario that you may

get from time to time where when negotiating with private profit-making businesses for a service we would like them to do, to see a negotiation where on one side you have savvy business people and on the other side naïve politicians. That is how you get bad value for money for the public and that is the fundamental flaw in this amendment because we end up with it, no extra service but pay extra for it and take away the ability of the Minister for Education and Lifelong Learning to lead on this, play hard ball when he needs to, be conciliatory when he needs to, but to get the best value deal for the public so that this service can be delivered on. I will not dismantle it too much but there were some extremely unkind and ungracious words from Deputy Renouf in his previous speech about the way that the Minister has conducted himself in this. But it does have to be said that the moment you put an amendment like this on the table it becomes impossible to do a deal because they are obviously going to hold out for extra potential funding. It makes it impossible to do that and get people to agree to something round the table and just go ahead with it. That plays its part in any of the things that I think Members have wrongly criticised the Minister for Education and Lifelong Learning for. I remember back in 2020, I was the Minister for Children at the time and I was a member of the Early Years Policy Development Board that produced this report and recommendations, which included the recommendation of an early education offer for 2 to 3 year-olds, initially for children at risk of disadvantage but beyond that a universal offer. and here we are 5 years later, we are on the verge of being able to deliver it. There were comments yesterday about a do-nothing Government; this is not nothing. This is something that will be absolutely uplifting for the families, children and parents who will end up benefiting from it, and yet it has taken us 5 years to get to this point. I, for one, think the Minister for Education and Lifelong Learning needs to be congratulated for his determination on this and credit also to the Chief Minister. I remember in the early days of the formation of this Government when the Chief Minister's attitude on this was we are just getting it done. No more workshops, no more reviews, no more chasing our tail for years, talking about how lovely it would be to do something but instead to get on with it and do it. When there are elements of the providers ... it was said before that the Early Years Association were unanimously not in favour of that. I am reliably informed that that is not the case and it does need to be said, and they have said it themselves, that the Early Years Association is not a union. It provides a voice for some of its members but it does not operate as a union; it is largely a lobbying group. That the Minister has been tenacious and innovative in his ways to get around difficulties from some participants not being enthusiastic about it and he has come up with one of those options. If we give him the green light by rejecting this amendment, from January people will be able to start benefiting from it. If we provide extra funding, which he does not want and does not need, it will inevitably end up delaying the implementation of it. Also, an unnecessary amount of taxpayers' money can be reallocated to private businesses, many of whom do not need it. That is not the way we ought to be going about this. We ought to reject this amendment and support the brilliant work of the Minister for Education and Lifelong Learning. Once all is said and done, let us celebrate this as a great innovation in the public service we provide to Islanders. We should be shouting it from the rooftops as something that ought to entice people to stay in Jersey, have their families and children here, contribute economically and add to our general prosperity as an Island. Because this is exactly the kind of thing that Government ought to be focusing on, in among all of the other contentious items and often waste that we see.

The Bailiff:

The Minister for Treasury and Resources, do you want to speak on this because your light was on briefly?

1.2.12 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

Yes, Sir, I will please briefly. I was not intending to speak on this but I do feel motivated to respond to the question about profit margins. I slightly hesitate, and I do have to emphasise that I am in no way whatsoever suggesting any financial manipulation or untruth or any kind of tinkering with the books. But I do just have to make the point that profit margins can be calculated in many different

ways; 3.6 per cent of a small number will be a small number, 3.6 per cent of a large number will be a large number. Profits can be calculated in many different ways. Business owners will take their own earnings in different ways. They may not take salaries and they may take dividends and drawings from the profits. They may take salaries, which will reduce the profits. There are lots of ways. All I want to say is that there are lots of ways of calculating profit margins and in the absence of sight of accounts of businesses it is very difficult to know how that margin is being calculated and how reliable it is. I am absolutely not suggesting anybody is being untruthful or manipulating the books in any kind of way. I am just saying we have not seen the accounts and without seeing the accounts none of us really have a true and fair picture of the cost of running a nursery and the intended profits; 3.6 per cent seems to me to be a very precarious profit margin. I think it would be useful to start seeing accounts of businesses that we are providing money to so that we all have a fair and accurate view of what the costs and profits are.

1.2.13 Deputy D.J. Warr of St. Helier South:

It is always interesting when we get into the private sector, is it not? I have to say Deputy Mézec is a red rag to a bull as I stand here. Is it not terrible, was it private profit-making businesses? Whatever next, my goodness me. It is interesting. We cannot negotiate, the Minister for Education and Lifelong Learning will not negotiate with the private sector but, boy, oh, boy, if it was the teachers' union there he would be out of this Chamber like the proverbial off a shovel.

The Bailiff:

Deputy, that, again, is unparliamentary.

Deputy D.J. Warr:

I apologise and I retract that, Sir.

Deputy G.P. Southern of St. Helier Central:

Is it not also, Sir, impugning the reputation of ...

Deputy D.J. Warr:

Okay, I withdraw that remark, Sir.

The Bailiff:

Yes.

Deputy D.J. Warr:

Okay, thank you. What unnerves me is that civil servants are telling the private sector their business costs. That is, effectively, somebody coming into my business and telling me what the costs of my business are and, therefore, that is how much money I should charge for a cup of coffee. I think it is an believable thought process. When businesses talk about sustainability, and Deputy Miles talks about the sustainability, if we do not have a private sector, and I am now hearing 100 per cent of the market of a particular sector, 75 per cent of the market, that is a dramatic amount, that is a huge amount of the market to be dealing and taking a punt with. The Minister surely has to deal directly with the private sector in these negotiations. As I said, he would not send his civil servants around to negotiate with the teachers' union. I am sure he would be out there personally doing those negotiations and talking further. On top of that, by the way, Deputy Mézec talks about negotiating. To walk into agreements with the union and just say: "If the trade union says that is the money we need to charge, that is the money we need to charge." I do not see much difference between that and the private sector. I appreciate the Minister for Treasury and Resources' commentary about opening books, and I agree. The point is that if the Government is doing some subsidy there should be a bit more transparency in those areas, and I think that is a perfectly reasonable statement to make. But the most important thing is about sustainability. The fundamentals of all of this is real people's lives,

real families being impacted here and trying to get the best deal for everybody. It is not just about families. It is not about the amount the state pays. It is not about the private sector. It is about making it work for everybody, and that is why we need sustainability in all of this.

1.2.14 Deputy M.R. Le Hegarat of St. Helier North:

We all received an email last night at 18:18 and the email, I will just read part of it: “Deputy Gardiner will be bringing an amendment to the Budget debate which asks for £11.50 per hour. This is below the cost of delivering childcare in a sustainable manner but it would be accepted by most settings as a compromise.” I have 2 questions: where did Deputy Gardiner get the extra 50 pence from, as this clearly still does not clarify all of what they ask for? Also, I would like to know, how many of the 75 per cent of these organisations will be accepting it, that £11.50?

1.2.15 Connétable A.N. Jehan of St. John:

I probably should start by thanking the Minister for Treasury and Resources for her maths lessons; I thought it was great. I thought she might have told us about the sale value of local businesses to U.K. chains but sadly she did not. In a previous life I spent a couple of years working in a school that included a nursery provision. When I left I continued for a further 2 years with the school as both a non-executive director and a trustee. I understand the cost of running a nursery and the prices charged. We are looking to provide 15 hours free nursery provision. But as, I think, Deputy Curtis said: “Is it 15 hours at X or is it a contribution to 30 hours at Y or 40 hours at Z?” It is a great improvement on the current position for parents. At my weekly drop-ins I often see young parents who may have issues with the cost of childcare and/or housing, and I also see their parents, the grandparents, who also have concerns about their children and grandchildren and the cost of childcare and housing. Twenty-nine years ago my wife stopped work for 3 months when we had our first child. At the time she had managed a local travel agency, the pay was not great but the perks were fantastic; we were able to travel the world for next to nothing. That 3-month break turned into an 8-year break, as we found it far more cost-effective for her to stay at home rather than to work for pennies, as the case would have been. This proposed funding will give parents far more choice. Rather than returning to work for literally pennies, they will be able to get back to work with all the social and economic benefits that that brings.

[12:30]

I join Deputy Stephenson in congratulating both this Minister and his predecessor in getting this to a position that we can now proceed. At a time when we are being disciplined in not increasing charges by more than 2.5 per cent, we are being asked to increase something by a further 4 per cent today. The Minister is proposing £6,270 per child; that is an increase of £6,270 per child on what the parents would receive this year. I say that is a very good start, let us crack on and review next year.

1.2.16 Deputy C.S. Alves of St. Helier Central:

I wish to address some of the comments as Assistant Minister for Education and Lifelong Learning. I wanted to start off with the comments by the Scrutiny Panel regarding detailed information to parents. Unfortunately, we cannot give that until we have an approved budget but we will respond to the panel’s recommendations. I can assure Members that parents will be provided with details of the scheme early in the new year. The rate that J.E.Y.A. want is £12.08 and we understand that Deputy Gardiner’s amendment is a compromise that she has agreed with them. However, this is not stabilised, this in fact risks further instability and allows greater influence from lobbying, which is a dangerous precedent and message to send out. To reiterate the point made by the Minister for Treasury and Resources, we have no evidence of high profits in the industry. Due to the fact that we have no access to the books, we do not have any evidence of what level of profit is being made at all. To address some inaccuracies, several Members are making assumptions of how onerous it will be to pay parents directly and also some false assumptions that the N.E.F. scheme is admin free. In fact

this is not the case. There is a contract that the service providers have to sign up for, and I will read some of it out. It says: “If a parent wishes to access a N.E.F. place with a provider, the provider must ensure the following are completed. That the parent should complete and sign the parents’ declaration form and any FP01 and sign the child’s absence policies. Providers are requested to read through the parents’ declaration form and child’s absence policy and the providers must verify the identity of the child by inspecting documents, such as birth certificates, passports. For immigration purposes, they should check the nationality of the child as well. If the child is not British”, *et cetera, et cetera, et cetera*. I will not go on any further. It is not admin free, as some Members are suggesting. Providers have not unanimously declined the £11 an hour; in fact some J.E.Y.A. members did accept this rate. Paying parents in arrears, the majority of which already have their children in nurseries and are paying their bills, ensures that this proposal can continue. There has also been reference to this being a pilot policy. This is not a pilot policy, this is a pilot payment scheme. I will not repeat the points that Deputy Mézec raised around negotiations and the negative comments made about the Minister not doing enough work, *et cetera*. What I will do is I will assure Members that a lot of work has gone into this. There have been multiple meetings, an inordinate amount of time has been spent trying to find a workable solution. Officers have met with multiple providers, including J.E.Y.A., but the Minister has also personally met with J.E.Y.A., and I have been present in a number of those meetings. It has always been made clear that our door is open and that we are happy to meet. Finally, with my other hat on as Assistant Chief Minister, there was one issue raised around staffing by Deputy Doublet. I would like to say that I have been able to extend the licensed permissions to include childcare workers, which I think is a really good example of joined-up thinking, to ensure that these workers, who are a vital part of our essential services, can also gain better access to accommodation which, hopefully, should ensure that they are more likely to stay on-Island and not leave and obviously put that sector under undue pressure. I would like to urge Members to reject this. There has been an extensive process that has happened behind the scenes. The £11 an hour was not arrived at out of thin air. I hope that Members will respect that and reject this amendment.

The Bailiff:

Does anyone else wish to speak on this amendment? Accordingly, I call upon Deputy Gardiner to reply.

1.2.17 Deputy I. Gardiner of St. Helier North:

Thank you for everyone contributing. It was a really good, I think, debate. First of all, I would like to say that I am proud to represent views of this sector that are delivering the childcare between 2 and 3 years old. I would not call them a lobbying group. It is an association that represents 75 per cent of this sector and they deserve to be heard in this Assembly, if nobody else wants to represent them. Because they are delivering, they are front line who are delivering the childcare. I told the Members that I really, really, really, really hoped that the Minister will meet with them. For 5 days before the deadline of the amendments I spoke to him and to other Members trying to say sit down together, find a solution. Somebody mentioned union; interesting, if the Minister would refuse to meet with unions for 12 months before the major policy needs to be delivered. I do not know. It is not in the meetings, it is really difficult conversations but not to meet with your main provider and to enter into numbers, not negotiation, just to look at the numbers; it is beyond me. Another point was raised, and I know that some people commented it is not negotiation. Yes, I think it should have been done before and the Minister had more than a year to do this but he did not. Deputy Mézec said we are the custodian of the public money; absolutely. Deputy Feltham mentioned my role as chair of the Public Accounts Committee but I am presenting as a Deputy. But as a chair of a public committee, if I am custodian of the public money, do we create another administrative burden, the system that does not work, that need to check all compliance, payment, their funded payments or we support the businesses, 50p an hour? It is support the businesses who are providing the childcare. Regardless of how we call it, so if we are talking about the value for money, as Deputy Miles said,

we have a system that does work, worked for years. We know how the system works. We know that nursery works with the system. We know that parents know how to work with the system. The only thing that the Minister needs to do, it is tomorrow to allow his officers to progress with the system instead of creating a new one. What is really confusing - Deputy Curtis and Deputy Jeune were confused - do we give this money to the parents and they can choose? But it is not clear for me between the comments and the Minister's speech if from 1st January the parents would receive the £660 or 1st January the parents need to find £660 and some time to reclaim this money back. When this £660 or whatever number it is would go direct to the nursery with the system that we have already in place, avoiding any confusion. Yes, the contracts need to be signed. But to deliver seamless it is the system that was planned. We all received the presentation from the Minister back in the end of October and the Minister assured us that by 31st October everything will be signed, the nurseries will agree and he is pretty sure everything will be fine. The only way that I got really involved, and this is for Deputy Le Hegarat that is asking the question, because since the Minister now said at the public hearing that he is going to pay direct to parents and everyone, yes, let us create new bureaucracy, then supporting the businesses, and businesses are not sure where they are finding themselves. Yes, I did sit with the businesses, and this is the presentation that you have in front of yourselves. You can see on the page how much businesses are paid now. I am grateful to Deputy Renouf and also Deputy Stephenson and Deputy Miles because they brought this clarity, and it is also about the choice. The choice is not big. We have nurseries that fund now. We hear parents again and again that they cannot retain the staff. What is another interesting thing, in the Common Strategic Policy around the children, written: "We will work with the sector to improve recruitment and retention and to incentivise training and development of this critical profession." Interestingly, how the 2 years of work with the sector gone. We can debate the remits of the policy. I do not think that we are debating the policy today. I wish we would debate the policy. But what we are debating and the choice that each Member of this Assembly has, we have 37 independent Members and saying we do not have collective responsibility. I completely respect party responsibility, support the Minister. But the question that each Member needs to answer to himself and to the parishioners, have I done everything possible to ensure smooth delivery of this policy from 1st January? Do I support new bureaucracy, new admin, parental upfront burden and risk and hybrid rollout and destabilisation of the workforce? You can reject this amendment but if you really truly believe that £137,000 can go a long way to deliver what we need, instead of creating a burden and support businesses who are delivering and the nurseries can operate sustainably and parents not face the burden upfront, you support the amendment. Thank you and I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the amendment has been rejected:

POUR: 10		CONTRE: 30		ABSTAINED: 2
Deputy L.M.C. Doublet		Connétable of St. Helier		Deputy C.F. Labey
Deputy I. Gardiner		Connétable of St. Brelade		Deputy M.R. Scott
Deputy K.L. Moore		Connétable of St. John		
Deputy Sir P.M. Bailhache		Connétable of St. Clement		
Deputy D.J. Warr		Connétable of Grouville		
Deputy H.M. Miles		Connétable of St. Ouen		
Deputy J. Renouf		Connétable of St. Saviour		
Deputy H.L. Jeune		Deputy G.P. Southern		
Deputy K.M. Wilson		Deputy M. Tadier		
Deputy L.K.F. Stephenson		Deputy K.F. Morel		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		

	Deputy R.J. Ward	
	Deputy C.S. Alves	
	Deputy I.J. Gorst	
	Deputy L.J. Farnham	
	Deputy S.Y. Mézec	
	Deputy T.A. Coles	
	Deputy B.B. de S.V.M. Porée	
	Deputy C.D. Curtis	
	Deputy L.V. Feltham	
	Deputy R.E. Binet	
	Deputy M.E. Millar	
	Deputy A. Howell	
	Deputy T.J.A. Binet	
	Deputy M.R. Ferey	
	Deputy R.S. Kovacs	
	Deputy A.F. Curtis	
	Deputy B. Ward	
	Deputy M.B. Andrews	

LUNCHEON ADJOURNMENT PROPOSED

Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

Could you just confirm the first amendment up after the break?

The Bailiff:

Sorry?

Deputy K.F. Morel:

After lunch, I was just wondering if it is possible to confirm, which is the next amendment?

The Bailiff:

It is the first amendment. Yes, 2.15 p.m.

[12:44]

LUNCHEON ADJOURNMENT

[14:16]

The Bailiff:

The next matter to be considered ... yes, chair of P.P.C. (Privileges and Procedures Committee).

Deputy S.M. Ahier of St. Helier North:

Due to the length of the Order Paper, and as advised on the previous 2 occasions on the 2 previous meetings, I would like to propose that tomorrow evening we sit until 8.00 p.m. with a half hour lunch break between 5.30 p.m. and 6.00 p.m. ... a dinner break, I beg your pardon. There will be some sandwiches provided, I understand, during that half an hour interval.

The Bailiff:

Are Members content to proceed as suggested by the Chair? Thank you very much.

1.3 Proposed Budget (Government Plan) 2026-2029 (P.70/2025): amendment (P.70/2025 Amd.) - Development Levies

The Bailiff:

The next matter to consider is the first amendment lodged by Deputy Kovacs, and I ask the Greffier to read the first amendment.

The Greffier of the States:

Paragraph (b)(viii) – After the words “Appendix 2 - Summary Tables 5(i) and (ii) of the Report” insert the words - “, except that, in Summary Table 5(ii), under the heading “Feasibility”, there should be inserted a new Head of Expenditure entitled “Development Levies Feasibility Study” with an allocation of £100,000 to the 2026 estimate.”.

1.3.1 Deputy R.S. Kovacs of St. Saviour:

I want to start with the simple facts. In April 2023 this Assembly agreed decisively on P.14/2023, 40 votes for, one against, 2 abstentions. Deputy Luce supported it then and before when he brought something similar. The principle was clear. Jersey needs a fair mechanism to capture land value uplift when land is rezoned or planning permission is granted. Originally this was meant to be delivered in March 2024. The Council of Ministers extended to March 2025, which I accepted in that proposal. But the deadline has now passed. The extra time was meant for the complex technical work needed to design a fair, workable mechanism. Yet, that work has not even started, let alone been completed. Throughout last year, in multiple oral questions and questions without notice to the Minister for the Environment and the Chief Minister, myself, Deputy Renouf and Deputy Jeune repeatedly asked them about progress on it. Each response was the same. No resources, no money, no capacity. I have it all printed and I can quote from every single response in case the Minister does not remember it, and I also have handed the Hansard of the original P.14 debate, if needed. But in the interests of time I will not quote that now. The Minister’s bid for funding in the 2024 Budget failed. Obviously the March 2025 deadline was missed. The project was ignored in the Budget this year as well. At this rate, the levy-type mechanism may arrive after the next ice age, which is why this amendment is the warm coat we need now. This amendment is simple, practical and supportive in response to that. It provides £100,000 from the Consolidated Fund to finally complete the feasibility study, technical analysis and consultation already mandated by the Assembly. I honestly thought this will be seen as a breath of fresh air, giving the Minister the tools he has repeatedly said he lacks. Yet now, in response to this amendment, the Minister says he will progress at pace, slowly in phases using existing resources, but partially. How is that possible? Yesterday, or Monday, he said exactly the same thing as last year. Massive cuts, no resources, unfilled vacancies. His department is stretched. Without additional funding it is obvious from all the Minister has said that his work cannot happen. Some argue the process is complex or that consultation is needed. I agree. It is complex and that is why he allowed extra time but consultation is not a question of “if”, it is a question of “how” to design a fair mechanism. Nobody will answer: “Yes, I want to be charged”, if you ask landowners or developers that directly. Objective expert technical work is essential. It needs to start now or we will continue seeing windfalls like Field J1109 where £70,000 becoming £3.55 million overnight from rezoning. Gains created at the stroke of a pen overnight. This study will identify the point at which charging is fairer so everyone wins. Arguments that it might deter developers or increase costs are not standing and that is exactly why this feasibility work is necessary. It will explore the fairest mechanism, whether at the point of sale, point of development or otherwise found suitable to work and ensure it is viable, fair and aligned with market conditions. But it cannot happen if we delay further. I am disappointed that neither the Minister nor the Chief Minister contacted me before submitting their comments. I highlighted to the Chief Minister at the Budget briefing that the Minister’s 2024 bid failed and that I was surprised it was not included in the 2025 Budget either. The Chief Minister said it was missed being discussed included but if I bring an amendment it will be considered. Now, only just a bit before the adjournment the Chief Minister and the Minister finally engaged with me to discuss this amendment. While it is better at the last minute than never the negotiation unfortunately failed. The Minister is still only willing to begin work on a

levy limited to affordable housing sites. But that contradicts what the Assembly already agreed in 2023. A fair mechanism for any significant land value uplift from rezoning or planning permission. Starting only with affordable housing would actually disadvantage the very part of the sector already carrying inflated costs and it would shield the far larger uplifts elsewhere. That is neither fair nor rational, and is unnecessary because with proper communication and well-designed feasibility study, developers and landowners can be reassured. The Minister would have full flexibility to design the mechanism so it does not deter development. Whether the trigger point is at sale, at development or another fair stage. But that analysis must cover the whole system, not a narrow slice of it. Now, this amendment provides the resources and amount already identified as necessary by the Environment officers, not by me. Rejecting this amendment on the grounds that it can be done slower, in phases, from the department's existing resources makes no sense. All evidence, plus responses from officers and the Minister in Monday's answer from the Minister, confirms that these resources for this work do not exist. Yes, we just approved Scrutiny's amendment, which gives back some funds to the department, but the Minister's response of no funds or resources to progress this project was even when now these returned funds were on last year, so it does not seem to make a difference for this work and we have also heard of so many more things needed to be done in the department with the same funds. How much longer will this work be delayed? How long will the Assembly's decisions be ignored? What is the point of passing propositions if Ministers pick and choose what they want to implement? I want this debate to stick to the subject of this amendment, the funding for the already approved work needed to progress at the normal pace and not be stalled again. I do not want us to re-debate if we like or not doing development levies. This was already debated and approved. If the Minister no longer agrees with the decision, the proper democratic route is rescindment motion. Ignoring it or delaying it until others have to deal with it or indefinitely, is not governance. All I am asking is that we give the Minister the tools he kept telling us he does not have. Otherwise, we are just asking him to build a house with a teaspoon. Also worth noting, the £100,000 is not lost money. As I mentioned in my report, it can be repaid from the first levy proceeds or from underspends anywhere so if he did prove he does not need it, he will have it as an underspend and can pay it back, so really no loss. It is a small investment for a mechanism that will deliver fairness, transparency and sustainable revenue for housing and infrastructure, and as it is the Minister for the Environment's birthday I bring him this offering of £100,000 gift to help his department go ahead with the full work needed for development levies without further delay. Whether he unwraps this gift or not is of course up to him, but my friends always say I make thoughtful gifts, so happy birthday. I ask Members to support this amendment to progress the work already agreed, and I make the proposition.

The Bailiff:

Is the proposition seconded? **[Seconded]**

1.3.2 Deputy S.G. Luce of Grouville and St. Martin:

I thank the Deputy for her kind offer. If she wants to make a cheque out for cash it will certainly be a birthday to remember. The proposal before us today seeks funding to develop a comprehensive development levy. A mechanism designed to capture a share of land value uplift, or development gain to fund infrastructure and community benefit work. On paper it sounds like an attractive proposition. It sounds like a good way to make development pay for things our communities need. This Assembly has recognised that principle, and endorsed it, as the Deputy says, on more than one occasion now. But let me share my perspective. I know from experience that introducing a development levy in Jersey is not easy. I tried myself in 2017 when I brought forward the Jersey infrastructure levy. I still bear the scars of that debate. The work undertaken then was thorough and provided a strong foundation, but if we are to introduce a comprehensive levy today covering all forms of development that work will need to be done again. Economic circumstances have changed significantly since 2017. Our development industry currently is fragile and the viability of a full levy needs detailed re-examination and proper consideration. The Council of Ministers does not believe

right now is the time to embark down that route. However, Ministers do recognise the strong and consistent support for the principle of a levy and we share that ambition. We must face reality, however. Progress has been limited, I will accept that. Not because of a lack of will but because of the complexity of this issue and the absence of technical capacity to design a robust, fair and workable system. I will come on to that again in a second. Introducing a levy is not simple. It is a highly technical area of policy and legislation, and if we get it wrong the consequences could be serious impacting housing supply, market stability and planning efficiency. That is why the Ministers believe the right approach is a phased one. Rather than spending £100,000 immediately on a full technical assessment we propose starting with what we can do now using in-house expertise and existing budgets. Yes, I have been short of staff until very recently and I have started to make some progress with that. But the Planning policy team sit outside of the Environment Department. However, I can say that for the first time since I have been Minister we now have a full complement of Planning policy officers. We need also to remember though that this Government has set a ban on the use of consultants, so technical work like this is additionally challenging. The first phase of the work that I would propose to do will focus on where a levy is most likely to be viable, on sites rezoned for affordable housing where land uplift is most evident. This is a critical issue highlighted in Deputy Kovacs's amendment, and we agree it should be addressed.

[14:30]

But its viability must be assessed against the public benefit already delivered through the provision of affordable houses. By starting here we take a practical, targeted step forward in an area that most clearly requires consideration. From this first phase we can learn and adapt, building the foundations for a comprehensive levy in the future, informed by experience. This is how we ensure a system that works for Jersey, avoids unintended consequences and safeguards housing supply and planning efficiency. Our commitment is clear. Progress can be made and begin in a focused way, tackling the areas with the greatest potential for success while still laying the ground work for a much broader system in the future. For those reasons, Ministers urge Members to reject this amendment and support a phased approach using existing resources. This is a more appropriate route for the Island at this time.

1.3.3 Deputy J. Renouf of St. Brelade:

I am going to be brief. I think we all want to get on and we know where this vote is going to go. But I do share the proposer's frustration. I was the Minister who proposed the amendment that extended the timeline on the original proposition brought by Deputy Kovacs. I proposed that amendment delaying the implementation to what I considered a more reasonable timeframe, and I still think it was a reasonable timeframe and it is a shame that the current Government did not do the work that had been promised. It was an Assembly decision, not a proposition of the Government of the day. I am, however, not entirely surprised. The Minister's speech transmits on a wavelength that says, this is in a very difficult box and there is a reluctance to tackle the issue head on. You have that fragility of the industry, full and proper consultation, we share the ambition, but ... and so on. I am afraid to say that my memory of this from when I was in Government was that Treasury always held it at arm's length and felt it had a very bad smell indeed. I suspect nothing much has changed in that view. The Minister made a compelling case that it is not easy to do. Fair enough. It will take a lot of work. Fair enough. It requires a phased investment. Well, maybe even that is fair enough. But if there is one thing that could make it actually happen, get the phased work underway, make sure that something really does happen, it would be to put some money aside to do it now. That is the one thing that means if there is this awfully difficult piece of work to be done, why are we waiting around? I do not buy the arguments about the need to focus on the rezoned fields. That bird has flown. It will not become relevant again until the next Island Plan comes forward. I think it is more urgent that we deal with the issue in the round. We had a recent application near the airport, the Strive development, that would have been the effective rezoning of a greenfield into a site that would have

become worth millions. Unless we take action there will be more of those in all likelihood, and I think that we should be taking action now to bring those development levies in. The Minister began to nudge in the direction of relitigating when he started to talk about how difficult it was, the fragility of the industry and so on. I would just repeat some of the points that I think were made originally, which is that the levy is just. The huge uplift in value that comes from the result of a decision to zone a field that was previously not zoned for development or another big rezoning decision is the result of social investment. Historic social investment and continuing social investment. It is the result of a Government decision and without that decision the uplift in price does not exist. It is a value created by the Government not by the landowner, and the value is dependent on historic and continuing investment in roads, electricity, airports and so on. Rezone a field in Sudan and you will not get the uplift in value that you get in a field in Jersey. It is because we have invested over centuries, and continue to invest in infrastructure, social infrastructure, courts, airports and so on, that those sites have value. So I think we should get on and do the work.

1.3.4 Deputy T.A. Coles of St. Helier South:

I am pleased to follow up on Deputy Renouf on this speech because we are of the same opinion. This was an Assembly decision, let us remember, and it is not the previous Assembly, it is this current Assembly, that we decided that this was necessary. Since then we have seen a number of fields previously rezoned from the Island Plan have been then transacted to start development on. A lot of these fields, especially the ones more in the west of the Island have all had caveats on that they need to be connected to the drainage before they can be lived in, and of course that is something that the tax payer is now paying for. We are building a very large attenuation tank by the airport so that these new developments can fit on. Of course the person who owned those fields beforehand has been granted a massive uplift in those fields' value, has been paid handsomely for those fields, and has not paid any tax to help us do the drains for these homes. As Deputy Renouf said, these fields have now already flown, they have already been done, but that does not mean there are not other sites within this Island that were going to face the same uplift in value, but also face conditions on them around drainage. We do know we have an ageing sewerage system and the funds from this levy would have gone a long way to helping Islanders pay for it. It would have also maybe even helped covered off some of the other things that we have been needing money for here, there, but just if we talk about looking for building and development, obviously drainage is a massive problem. We are facing the fact that drainage charges have been mentioned again within budgets to be looked at, investigated or implemented. I am very disappointed that a States Assembly decision is just being ignored and passed the buck, and completely removed from the Budget is in my mind not acceptable. If this was going to be the case then a rescindment should have been brought and we could have all voted whether or not we still agree that it is the right thing to do. I am supporting this because we cannot have the development levies to be removed from our Budget. There is a small allocation of money which will be paid out very quickly if this is brought through. I feel no reason why we should be delaying and the work should begin.

1.3.5 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Notwithstanding the decision of this current Assembly, I think the Minister is right to be cautious. It is not re-litigation of the issue, as has been indicated, on any policy, and this Assembly has argued over the policy of the 3 per cent additional tax on stamp duty on buy-to-lets about the timing, and therefore the Minister is right to carefully undertake this work. He does not need the additional money but he must have mind to the economic conditions of the Island. I worry that we do not have enough of a mind to economic conditions when we are making decisions in the Assembly. I think that the Minister can undertake the work without the well-intentioned amendment of Deputy Kovacs, and as I understand it that is the undertaking he has given, and I ask Members to reject therefore the amendment and the need to transfer funds and allow the Minister to carefully, taking into account the economic conditions, undertake the work that he has agreed to do.

1.3.6 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I would just like to pick up exactly on the same points that Deputy Gorst has just made. Our economic environment has changed quite dramatically since this proposition was originally passed. Deputy Warr, I think, told us yesterday that in the intervening period, 6 construction firms had collapsed. That is part of the economic framework that we have created for them. At the question time event I attended last week, there was a huge amount of concern in the audience about the lack of support in this Budget for the economy. While I do not agree that is the case, we are doing a huge amount of work on the competitive framework, we have money through the Better Business Support package, we are doing things for the economy, but this type of initiative has potential to damage it. We need to remember that we need to build our construction industry, we want it to be burgeoning; construction is a big part of our economy. We need to support it and we need to make sure they all get back together and start working and start rebuilding property development. The Minister has committed to starting the work within his initial budget, so again I urge Members to reject this amendment.

The Bailiff:

Does anyone else wish to speak on this amendment. Deputy Kovacs.

1.3.7 Deputy R.S. Kovacs:

Thank you to everyone speaking in this debate. For over 20 years, public decisions have created millions in land value uplift, and it has all gone to private owners, as we have seen with the field mentioned before. Andium Homes now absorbs inflated costs to provide affordable housing. This amendment is about fairness, democracy, and delivery. It provides the funds to do the work the Assembly already mandated in 2023. I must again highlight that even today's last minute attempt of negotiation failed for one simple reason. The Minister still insists on starting only with affordable housing sites. That would create an imbalanced and unfair system hitting affordable housing first, while leaving the much larger private sector uplifts untouched. That is the opposite of what the Assembly voted for, and it risks increasing costs for those who can least absorb them. A proper feasibility study must analyse the full levy, not the partial version that distorts the market and undermines fairness. With clear communication and the right technical work, the Minister has full flexibility to design a mechanism that does not deter developments, involving all the relevant parts in the discussion. But he must first commit to analysing the entire system without delay, exactly as this Assembly mandated. It would be useful to then have an update from him with where the work is at before the end of his term. This amendment enables the full analysis to be done in a fair way for all parts involved. It does not mean that after the introduction of a fair identified levy it cannot be implemented in phases. But to know what is fair, the full analysis needs to be done at the same time. Yes, there is complex work needed, but we took lots of complex decisions before, and that is not the reason to not start the work, especially as the Minister's mandate is close to ending. We have to make sure that work has the funds to continue next term and not stall again. What does my amendment do? Funds that require technical work fulfils the Assembly's 2023 mandate, enables a comprehensive and fair system, avoids delay and partial implementation, brings new revenue into the budget, supports housing and infrastructure investment, ensures the community shares the Island value uplift, not just private landowners. The Minister's phased approach does not solve the capacity issue, does not meet the Assembly's 2023 decision, and risks further delay. In 2017, a rapid viability assessment already covered much of the heavy lifting, which will make it easier to start from updating that work. All arguments against this amendment collapse under analysis. Resources, we heard before, do not exist. This amendment fixes that, or if they do exist, just reimburse to where it came from at the end. The process is complex; exactly why the feasibility study is needed. It might better developers. The analysis work is meant to ensure the mechanism is fairly done and market sensitive. Planning will be more complex. Well-designed levy increases confidence and reduces suspicion around rezoning. Supporting this amendment is not radical and has no reason to be controversial. It

funds the technical work to deliver what we have already decided. Again, if Ministers oppose it for other reasons than being said in the comments to this Budget amendment, the democratic way is to bring a rescindment and test it if the Assembly agrees. Until then, they must act on Assembly decisions, especially when research say for it. My mantra I keep on repeating is simple, where there is a will, there is a way. The question is, does the Minister and the Government have the will to find a way and fund the way?

[14:45]

Members, this is a modest investment with enormous public benefit, it allows us to capture fair land value uplift, fund housing and infrastructure, reduce pressure on the public purse, protect future generations, and make the Jersey system transparent and fair. Do we not need ways to fairly bring more money to the future budgets? Then let us not delay another year. Let us not allow procedural inertia to override a democratic decision. Let us give the Minister the means to deliver on a commitment already made. If land can gain millions at the stroke of a pen, surely we can spare temporarily £100,000 at the stroke of a common sense to start the work agreed but not start it past its extended deadline and delay it for lack of funds and resources. Not to mention again that this will end up bringing money to the budget, once in place. It is also important to stress that this £100,000 is not gone, as I mentioned before. If the Minister proves he can deliver without it, then it becomes an underspend and can be paid straight back, either from the levy's early proceeds or from underspends. The States do not lose an extra penny. We have heard repeatedly that the department is on a budget diet. Well, this amendment is not a 3-course meal, it is a vitamin, and it is time they took it. This is about fairness, accountability, and following through fully, not partially. I ask Members to support this amendment, progress with the needed analysis, and let Jersey finally share in the value it creates. Thank you. I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. All Members had the opportunity of casting their votes. I ask the Greffier to close the voting. I announce the amendment has been rejected:

Pour: 15		Contre: 27		Abstained: 0
Deputy G.P. Southern		Connétable of St. Helier		
Deputy L.M.C. Doublet		Connétable of St. Brelade		
Deputy R.J. Ward		Connétable of Trinity		
Deputy C.S. Alves		Connétable of St. John		
Deputy I. Gardiner		Connétable of St. Clement		
Deputy S.Y. Mézec		Connétable of Grouville		
Deputy T.A. Coles		Connétable of St. Saviour		
Deputy B.B. de S.V.M. Porée		Deputy C.F. Labey		
Deputy D.J. Warr		Deputy S.G. Luce		
Deputy H.M. Miles		Deputy K.F. Morel		
Deputy J. Renouf		Deputy M.R. Le Hegarat		
Deputy C.D. Curtis		Deputy S.M. Ahier		
Deputy L.V. Feltham		Deputy I.J. Gorst		
Deputy H.L. Jeune		Deputy L.J. Farnham		
Deputy R.S. Kovacs		Deputy K.L. Moore		
		Deputy Sir P.M. Bailhache		
		Deputy M.R. Scott		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		

		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy K.M. Wilson		
		Deputy L.K.F. Stephenson		
		Deputy M.B. Andrews		

1.4 Proposed Budget (Government Plan) 2026-2029 (P.70/2025): twenty-ninth amendment (P.70/2025 Amd.(29)) - Le Squez

The Bailiff:

I will move to the twenty-ninth amendment proposed by Deputy Wilson. I ask the Greffier to read the amendment.

The Greffier of the States:

Paragraph (b)(viii) – After the words “Appendix 2 - Summary Tables 5(i) and (ii) of the Report”, insert the words “, except that in Summary Table 5(ii), the 2026 Estimate for the line Fort Regent Redevelopment should be reduced by £4,500,000, and the 2026 Estimate for the line Le Squez should be increased by £4,500,000.” Paragraph (b)(vii) – After the words “Appendix in the accompanying Report”, insert the words “, except that on page 56 - Estates, the lines entitled Le Squez and Fort Regent Redevelopment should be substituted with the following as tabulated.”

1.4.1 Deputy K.M. Wilson of St. Clement:

I feel as though this is a *déjà vu* moment. We were here 12 months ago talking about this very issue, but I am going to have another stab. For more than a decade, families and young people in Le Squez and the surrounding areas have been promised investment in a proper youth centre. For more than a decade, those promises have been quietly shelved, deferred, or buried. The story of Le Squez is not just about a building, it is about what value Government places on the welfare of young people in the area and the community that they live in. A promise made by the Chief Minister when we had the same debate 12 months ago is no different to the promises made by him and other politicians over the last 10 years. He promised to get it over the line when myself and members of the Le Squez Community Development Group met with him to explain the issues the community was facing with the limited facilities on offer. But a carefully worded statement designed to convey a sense of caring, but sprinkled with the same kind of rhetoric we have come to expect, does not really have an impact in meeting the needs of young people living in the community. It is simply not good enough. It is not about the fact that resources have been set aside. It is about the timing of when these resources will be available. Kicking this development down the road again for another 2 or 3 years does nothing for young people in the area. A lick of paint and a little bit of redecoration does nothing to further assist youth workers to deliver the kind of support and education to the young people in the area, to an acceptable standard that will be attractive to people of all ages. The youth workers attached to this youth club are amazing people and they are instrumental in keeping young people connected to their community, albeit in the most depressing conditions. Members will have seen already pictures of the environment they are working in. Why is it that this Government is finding it so hard to secure the money for Le Squez this year and kicking it down the road again for another 2 to 3 years, when money can be found to fund other things in short time. There is a stark reality here and that is that this Government has no agenda around the regeneration of communities, except of course in St. Helier. The consequences of not addressing the needs in areas like St. Clement are serious. We are already starting to see signs of a generation of young people growing up in the area with an aspiration to go nowhere. For this reason alone, the redevelopment of Le Squez Youth Club is critical, not only to the part of the community infrastructure, but to the well-being of a future generation. In 2013, clear commitments were made to provide facilities for the community. Since then, the need has only

grown more acute. Families in Le Squez know all too well the importance of safe, structured spaces where people can learn, build friendships and avoid the pitfalls that come when society leaves them to fend for themselves. Yet time and time again, when the moment came to act, Government failed to plan, and it failed to fund, and it failed to deliver. This is not merely an administrative oversight, it signals an attitude towards the welfare of young people in the area and a lack of political will. Projects elsewhere in the Island have received timely backing, with funds found for pet schemes and headline projects, but for Le Squez, the community still is left with half promises and token gestures. The past 10 years reveal a pattern, a failure to put young people at the centre of policy, a refusal to recognise that investing in them is investing in Jersey's future. Instead, they have tolerated crumbling facilities, and in doing so, a clear message has been sent to the community that their children do not matter as much as others. It is beyond time for excuses. Young people deserve more than the soundbite, photo opportunity, broken promises, years of delayed decision-making and business cases that seem to take for ever. The young people of Le Squez deserve real committed investment to their well-being. They deserve the dignity of being treated as a priority rather than as an afterthought. It stands as a damning symbol of a Government that has failed in its most basic duty, which is to nurture and protect the next generation. If Ministers cannot find the planning, resources and commitment to deliver on promises made over 10 years ago, then it is little wonder that trust in Government continues to collapse. The attitude towards improving facilities lies not in the shortage of money, but in the shortage of political will. A lick of paint, which is what they have received in the youth centre, is not a substitute for redevelopment. I proposed this amendment because I really wanted to test if it was possible for the Government consider and change its mind to see if resources could be rescheduled between Fort Regent and Le Squez so that we can begin the revitalisation of youth services in the area. I am asking for flexibility. I would like to propose 2 options to the Council of Ministers, if they care to consider them. Firstly, would Government consider revisiting the scheduling of the Fort Regent investment so that some of the allocation intended for Le Squez can be brought forward sooner rather than later? This will have the effect of demonstrating a genuine commitment to the community that Government is interested in developing facilities for them in the area. Or, let me put another option, would they consider facilitating a discussion with S.o.J.D.C. (States of Jersey Development Company) to see if they could incorporate redevelopment work into their capital programme around Fort Regent? I have seen this kind of proposition made in other jurisdictions, particularly where, for example, supermarkets build their premises in local communities and offer redevelopment of community facilities as part of their social value contribution, or where roads have been created to provide new access routes into towns and villages. There are options available, and I would hope that this amendment is not closed down and the signal that: "The computer says no" does not reappear again this time round. I am asking the Council of Ministers to think about it and explore if we can obtain a win-win. I move the amendment and call for the debate.

The Bailiff:

Is the amendment seconded? **[Seconded]**

1.4.2 Deputy M.R. Ferey of St. Saviour:

The development to Le Squez Youth Centre are within the budget for 2028 and 2029, where there is a total allocation of £7.5 million earmarked for the development of that site. The Minister and I have confirmed that this project has been rescheduled intentionally to focus on and dovetail with the new town youth centre, which is progressing well. The Minister and I also took the opportunity to visit Le Squez Youth Centre one evening and to have a look around and meet with the staff and the young people who were in attendance. There were over 35 that night, all enjoying themselves and all definitely enjoying the environment within the club, as were the staff and youth workers. I think the last time I spoke on this subject, I said that we are unable to do everything everywhere all at once, and the reprofiling of this is logistical and tactical to ensure there is always a town's youth centre

within the town environs to accommodate young people throughout the delivery phase of both projects. We have undertaken some minor improvement on the outside of the centre, which the Deputy mentioned in her speech, and currently we are undertaking some further internal decorations. As with any youth service properties, ongoing maintenance and improvement works will be undertaken as business as usual until the new development takes place. But in the meantime, the project is safe, it is vibrant, and it is functioning extremely well. On that basis, I urge Members to reject this amendment.

1.4.3 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

I rise today to speak as somebody who spent a lot of my childhood in Le Squez Youth Club. It is somewhere I have very many happy memories of and it is probably the reason I am in Jersey to start with, given that my mum took a job and moved us to the Island to be the youth worker at Le Squez Youth Club. I have got very fond memories of helping to build - I say helping, I was quite young, I probably caused more trouble than helped - 2 internal rooms within the youth club, because they were running out of space and it was not very functional. It was down to a group of volunteers, and I remember them, everybody marching in with these pieces of wood and the tools to get on with it over the course of a weekend, and that is what it was; the youth workers, their families, a few supporters of the club helped to build rooms.

[15:00]

I do not know whether they are still there today or not, 30 years on, but it is that spirit of getting on and doing what you need to do. I think that is, when I meet youth workers today, a character of youth workers, that they work in not always the best settings but they just get on, and the vibrancy often comes from the young people themselves and the people working with them. Youth clubs and youth centres, youth work, whether it is in a building or not in a building, is important to our Island everywhere, our community everywhere. I think it is particularly important in communities like down at Le Squez where you have large numbers of homes in close proximity as well. I do think, as the proposal has alluded to and probably said outright, there is a risk here that there is a community in this part of our Island that feels forgotten about. I say that as somebody who has been party to discussions about the Le Rocquier sports facilities in recent years as well, and that was reprofiled, pushed on, changed, and now I do not think is anywhere on anybody's to-do list currently. There is a risk there, and I think it is important to raise that. Something I would really like to just highlight and add some thoughts to the comments. The Council of Ministers refer to the relative proximity to the flagship town youth centre at Anne Street. I appreciate Deputy Ferey's points that he has just made on this and the strategic thinking behind that as well, and the comments go on to say that the relative proximity means it does have implications for the facilities required at the scale and so on and so forth. I completely support the town project and really recognise the ongoing need for it that there has been for a long time. But I suppose it is just a word of caution really. I do not want to see that narrative that because there is a flagship town youth centre it means we do not need others, or we do not need to invest in others in the future. I had a conversation with some young people not so long ago in my own constituency about youth clubs and youth facilities, and I asked them why they did not go to one down the road, because in my view it had better facilities, it had a better sports hall, more room to play football, it was more modern and so on and so forth, and they looked at me as if I was suggesting something truly awful. They like to visit it, they have got friends there and they want to go and they will do things together sometimes, but their local club, even if it is the most basic thing with the oldest sofa in the corner that somebody has donated that has got holes in it or whatever, that is their local club. I am speaking on their behalf because I have spoken to them and I do not want to put words in their mouth, but I really felt from those young people, they have a really strong sense of identity, and I think sometimes as adults we forget that. A lot of us in this Assembly really value the Parish system and our local Parishes. Although young people may experience it and show it in slightly different ways to how we do, they have that really strong sense of identity too. So, it is a

word of caution really that I absolutely support the town project. As a young person who asked my parents to drive me around the Island to all sorts of different youth clubs at different times, I recognise that young people will probably come from across the Island to it at different points, but I still think it is really important that we have those in the heart of local communities as well for young people. I am not sure yet how I am going to vote on this amendment but I do think it is really important that Deputy Wilson has brought it. I do not want her to be put off that it is the second time that she has brought it, and I think it is important to keep banging the drum for your local community in this way. I just hope that if this amendment is not passed today that Ministers do stand by their ongoing commitment to proceed with the project from 2028, and start to get the work in train that we are told needs to be in place before the money can be allocated. I am sure that Deputy Wilson and others will be doing their best to hold them to it, and I will have my voice there as well when needed.

1.4.4 Deputy T.A. Coles of St. Helier South:

I am in a bind with this particular amendment, because the last time that the Deputy brought this proposition, the town's youth centre still was not concrete, it still was not solidly in place, so the idea to take the funding from that was something that I could not support because it would be impacting on St. Helier's. Now obviously that project is firmly underway and there is not going to be turning back and it is going to be delivered, which is incredible. Really looking forward to that being open and ready to go. At the time, I remember saying that I support the idea of Le Squez needing to be revitalised. We have seen huge amounts of development in that area, not only with La Mare existing and all the houses that are around there, but we have also got the new Samarès estate, which is now very much full, and has a requirement for young people to have somewhere to go in that area. So, I absolutely support the redevelopment and the uplift of Le Squez Youth Centre. My issue is, and which is causing me a little bit of a dilemma at the moment, that because the town youth centre is not finished, I always wonder how much Government is able to deliver at one time. Will they be able to deliver both these projects in a quick enough timeframe that the children that currently use Le Squez ... because as far as we are aware at the moment it is safe. It is not modern, it could do with improvements, but it is at least safe. It is at least somewhere they can go and use. Personally, I feel that this would be better once the town youth centre is complete because then ... we talk about relative distance in Jersey, we are an island 9 by 5, everywhere is relatively close, as Deputy Stephenson has just said. It might be a slight inconvenience to parents that have to drive around town to get you to one youth club to another, but it is not hours out of someone's way; we are in minutes. So, I am also in a mind because I also do not want anything to interrupt the project of Fort Regent. This is a historic building that firmly sits within my district, and we are getting complaints that all the sports teams have been moved out. They wonder why something could not have been done in phases in that building. But, of course, I appreciate they are looking for asbestos. We have got potential Legionella in the water supply, dodgy electrics. It is just quicker, safer, and cheaper to move everybody out, get these problems solved, then let the next phase of that project come in and start so we can get Fort Regent back as an operational building, at least washing its face, as the Minister for Infrastructure says, and have that as a proper leisure complex for the Island. I am struggling because I would have liked to have seen this money maybe allocated for 2027 rather than 2026, because then I feel that the youth centre in town would have been finished. The children who use Le Squez would then have the option to come to the St. Helier Youth Centre if they wanted to. So, this is not an easy decision which way I am going to vote on this.

1.4.5 Deputy B. Ward of St. Clement:

As a fellow Deputy for St. Clement, I do feel support for my fellow Deputy and parishioners. But, again, I am in a dilemma because obviously I want to go with the Government, but also I want to support my fellow Deputy and parishioners, and especially the children. Yes, we are pleased that there is some guarantee of funding from 2028. But I would ask that, because it will be a new Government then, is they would give very serious consideration in bringing that forward, as my

fellow colleague has said, to 2027, so they can start looking at what is needed. It would not be necessarily putting spades in the ground, but getting the right plans. Leaving it to 2028 is really pushing it down the road. But I would urge that serious, positive consideration is given to bring in these monies and the project forward by one year to 2027.

1.4.6 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I would like to clarify some of the financial implications of this amendment. The amendment brings forward funding for Le Squez, but does so by diverting attention from the Fort Regent project. As drafted, the amendment seeks to repurpose certain approvals for Fort Regent in order to accelerate work at Le Squez. However, as we have already discussed this week, the works at Fort Regent will be funded through borrowing, and this amendment does not alter those approvals. Borrowing is not something we undertake lightly. In the case of Fort Regent, borrowing was justified by the need to prevent further deterioration at the site and was supported by a clear plan for servicing interest and eventual repayment. One of the guiding principles of that plan is a restrained approach to borrowing. Consequently, any expenditure for Le Squez would need to be funded from the Consolidated Fund. This would result in a negative balance by the end of 2026, a position that would ultimately require rectification. While I understand the good intentions behind this proposal, I cannot support borrowing for this particular project. Its scale is such that it should be delivered within a prioritised capital programme. Indeed, it has already been prioritised, and funding is available in the years when it will be required. While the amendment implicitly suggests that borrowing approved for Fort Regent could be repurposed for Le Squez, it does not make that change, and we only borrow for purposes explicitly agreed by this Assembly. Therefore, as it stands, we could not and would not borrow to pay for Le Squez. This means the expenditure would fall into the Consolidated Fund, which, as I have said, would push it into deficit in both 2026 and 2027. That is not a position we can accept. As a result, the amendment has a technical flaw. Even if that flaw was corrected by amendment, the under rationale is not completely sound and, for these reasons, I cannot support it.

1.4.7 Connétable A.N. Jehan of St. John:

I can fully understand why Deputy Wilson is seeking to accelerate money for the redevelopment of Le Squez Youth Club. The Deputy is quite rightly seeking to represent the interests of her Parish and her constituents. Unfortunately, in my view, it is a flawed amendment which would not accelerate the project at Le Squez, and indeed would only serve to delay work at Fort Regent. As the Deputy said, it is a sense of déjà vu because we had the similar debate last year. In response to last year's debate, the Council of Ministers confirmed that the project at Le Squez would recommence in 2028, and this Budget does allocate the funding to meet that commitment. In his remarks, Deputy Ferey also set out the programme of work for the youth facilities and the need to prioritise. We cannot do everything at once, as much as we would like to do. The town youth centre, where no provision currently exists, has to be the priority above the redevelopment of an existing facility at Le Squez, which is functional and is fit for purpose, although clearly it could be improved upon. It is not perfect. There are improvements to make, but it is a good facility and enjoyed by a good number of young people. I believe further improvements could be made, and I think I mentioned this last year, such as by giving access to the all-weather pitch at the school. It just needs some lights and a bit of creative thinking, and we could give young people more space to run around. It is lying there dormant, night after night. The project in town will also impact on the future provision that is required at Le Squez, so it is logical, again, to complete that project first. Fundamentally, because the programme of works which we have previously set out, which we also wish to stick to, there is not a project for Le Squez on which we can spend £4.5 million in 2026. The Le Squez project is at the feasibility stage, with detailed design works still to take place, and the planning process yet to be undertaken. This is the position we previously set out, and we are being consistent. Therefore, it is simply a fact that the money proposed for 2026 would remain largely unspent.

[15:15]

It simply would not be possible to get spades in the ground. Deputy Stephenson spoke about Le Rocquier, and we are hoping to work in partnership with the Parish, and we have started discussions - I am sure the Constable can confirm this - around providing play facilities and also looking at enhancing the outdoor courts. We are working with the school, and we hope to cover some of the courts, if possible, in the very near future. Concurrently, this proposal would put a dent in the proposals at Fort Regent and very likely delay that vital project. Arguably the biggest winners from a redeveloped and revitalised Fort Regent will be our young people from across the Island, including those youngsters who live in St. Clement. This amendment does not serve their interests in this regard either. We need to get on with the projects at Fort Regent as quickly as possible so we can stick to the target of reopening the Fort at the end of 2028. The Minister for Treasury and Resources explained, perhaps in a different way to how I will explain it, but another reason for rejecting this is that phase one of the Fort funding will come from borrowing; borrowing that the Deputy voted against on Monday. If I can go back to Deputy Gorst's jars - I think he may have inherited these from the former Constable of St. Martin - the loan for the Fort will be exactly that, a loan for the Fort. We will not be able to siphon off money for other projects. Members rejected a similar amendment last year, and I ask the Assembly again to stick to the course.

Deputy J. Renouf of St. Brelade:

Can I ask a point of order, or it might be a question to the S.G. (Solicitor General)? Just regards the points that have been made in relation to the loan element of this. I am slightly surprised if it is impossible to enact that it was approved, and I wondered if there was any clarification from you on whether something could be approved if it was effectively impossible to enact. But the question might be better directed to the S.G. in terms of is it in *ultra vires* in a sense?

Mr. M. Jowitt., H.M. Solicitor General:

I am afraid I am going to have to apologise because I was not listening to this part of the debate. I was dealing with an email on another matter. I am afraid I have not followed it and I am not sure what I am being asked to assist with. I am sorry.

The Bailiff:

Do you want to ask your question at a greater length, so the Solicitor understands the background to it?

Deputy J. Renouf:

So, the Minister for Treasury and Resources, as I understand it, said that this amendment would not be possible to do because the law says that we can only borrow money if the Assembly gives authorisation for that specific purpose, and since the amendment asks for the money to be lent, if you like, to the Le Squez project, it would therefore not be possible, it would not be legal. I do not know if I have summarised the Minister's position correctly there, but that was my understanding of it, and I just wanted to check whether that is a legal barrier, in which case I do not think there is much point in carrying on with the debate, frankly, or whether it is more of a political barrier, if you like.

The Bailiff:

Do you wish to consider that and revert in a moment?

The Solicitor General:

Yes, please.

1.4.8 Connétable M.O'D Troy of St. Clement:

We have been here before, and I admit that, but you cannot expect the Constable to capitulate. We have a Parish with 10,500 residents - I have said this before - squeezed into 4½ kilometres square. We have heard from the Constable of Grouville that out east, it is barren land as far as entertainment

and facilities for our youngsters and our teenagers. We have very little. We have made successes with Le Clos Mourant and the St. Clement's community hub, mental health, the best community services on Island, and we have produced increased financial help for the many families in St. Clement who need it through our trusts and benefactors. But it is not enough. The youth of St. Clement and Grouville and the east are crying out for more to do. We know what happens when youth do not have enough to do, they find something a little bit different to occupy their time. Parishioners in our municipality have been teased with a vision of a £70 million Le Rocquier redevelopment, and then a £40 million redevelopment, and now we might, if we are lucky, get an all-weather football pitch. We are in talks with the Minister for Infrastructure, and I am grateful to that, to develop a first-class children's playground in Le Rocquier. But this will take time, and time is what we are talking about. For all of these reasons, it cannot be a surprise that the Constable will vote for a quicker response. I believe from the talks we had with the Chief Minister about a year ago that there is £4.5 million sitting in a bank account allocated to Le Squez Redevelopment Youth Project. I would like verification of that, because that is what we were told at our meeting, Deputy Wilson. So, it is there, we do not have to take it from Fort Regent. It was voted on in a previous Budget, and I am quite happy to be corrected, but I am much happier to be proved right. For those reasons, I will be voting for the amendment.

1.4.9 Deputy A.F. Curtis of St. Clement:

I am reading back through Hansard from last year's similar debate. In doing so, I realise, as it is easy to forget what one says, I expressed a challenge, I think, to use this word, this year's language from Deputy Coles: "A bind on it." One of the reasons was deliverability. It is a really challenging position we are put in here because we have just heard from the Minister for Infrastructure that in all likelihood there is no way to spend £4.5 million on Le Squez in 2026. It is disappointing, one year on, that no time was put into perhaps pre-application advice, earlier consultation with the community. I think I made this point in 2024, looking at the 2025 Budget, I highlighted that it was unlikely the budget could be spent in 2025 as it was because we did not have plans, but what would have been more pragmatic would be if the department worked on ensuring plans were there, because shovel-ready projects would be a really good place to be. But I also highlighted that one of the important things that Government needs to do, and this Assembly, I should say, is our responsibility, what we need to do, is we do need to be honest. We need to make sure that when we commit money, we are committing it in the full knowledge that it can be spent, or we are likely to deliver on what we are offering. To look back, I said every time in any part of our capital programme and wider programme, we shift tack and we erode trust. It is incumbent on anyone in charge of Government to consider where stability lies in this. Then I quoted Hansard from 2023, so I clearly have a habit of this; so I apologise. But our real challenge is I do not believe we can see the Government deliver £4.5 million of capital delivery. Officers for the Minister for Infrastructure often tell us that the capital plan is out of date the moment it is set. While there is an element of that, good capital planning should have trust in it. It should have pragmatism and realism, and a good evidence base. I am really struggling to see how I support this. I further struggle because, as Members heard earlier in the week, I am fundamentally and completely opposed to further borrowing facilities, such as Fort Regent, and the words of the Minister for Treasury and Resources make that exactly how I read the situation. I do not want to see any borrowing on facilities like this, and I am willing to say that. The Minister for Infrastructure highlighted there are more things we can do to provide facilities. We hear these lines again and again, and we do just have to sometimes say: "Let people play. Let F.B. Field be used for a greater number of hours." Except the wear on the pitches, except that may be imperfect grass, but a happier community is a better way of using that site than making it pristine. Those are all things we have to do. But for this year, for the allocations, I am struggling to support this because I do not want to say to my parishioners I do support a facility, we will have spending, and then tell them in 2026 that I knew it was not possible.

1.4.10 Deputy S.Y. Mézec of St. Helier South:

Like other Members who have spoken before, I absolutely commend and respect Deputy Wilson for bringing this. It is vital in our system that local communities, as well as just the Island-wide community, have a voice to represent them in this Assembly and keep pushing and pushing to get their needs as a community met. It has been a very good example of that kind of local representation, the work that has led to the St. Helier Youth Centre, which is now proceeding full steam ahead and will be delivered soon enough. That started with the then newly elected Deputy for St. Helier Central, Deputy Ward, who brought an amendment to the C.S.P. at the time to get initial commitment for that, and has tenaciously fought in support of that. Deputy Catherine Curtis, as chair of the panel, brought an amendment to the C.S.P. this time round from last year to keep that on the agenda as well. So, there has been a lot of team effort to get to that point, and it is great to see it proceeding. I absolutely can understand why, when looking at Le Squez Youth Centre, being impatient and wanting things to proceed quicker. Of course, you would want that when you see young people in that area not being served as well as they ought to be with the quality of facilities that they deserve, and I would hope nobody would disagree with that. But I will be maintaining a consistent position on the amendment itself because I have faith that the proposal to move ahead with that project in 2028 will be met. I am not convinced that arbitrarily bringing it forward would speed up the delivery of it for all the reasons that other Members have said, and the focus on delivering the St. Helier facility, being the immediate project going on now. But having made that point, I do want to put on record not just my own position, but I know it is absolutely the position of my party colleagues, that delivering better youth facilities at Le Squez absolutely should be in the pecking order of priorities, and if anything were to slip for timing from 2028, or a genuine viable prospect came to bring some of that forward if it were possible, then I would want us to support that wholeheartedly. I am happy, even though at this moment in time - though I hope it will not be the case in 6 months' time - we have no direct representation as a party in St. Clement, it will certainly be our position as a party to support the young people in St. Clement and maintain the timeline for that project. It will have our wholehearted support, and if things look like they are slipping, we will be part of the move to bring that back on track. But at the moment, because it is scheduled in a way that we are happy with, then we would not want other work disrupted in order to achieve that. But that is on record now, hold us to account for it; that we support a project going ahead at Le Squez, and that will have our support when we are ready for it.

The Solicitor General:

I am sorry I was not ready to deal with the matter when I was first asked. I am looking at Article 9 of the Public Finances Law at paragraph 2. I do not think there is an issue around *vires* for reasons I will explain. 9.2 provides: "The Government Plan must set out the amount of any proposed financing to be obtained for the next financial year." Now, if the Government Plan as is sets out financing for the particular project, that is to say Fort Regent, it seems to me it is not *ultra vires* to lodge an amendment that seeks to change the level of borrowing that is apportioned to that project, and to suggest by amendment that a proportion is spent on a different project. What that would mean if adopted, however, is that any shortfall in the funding for Fort Regent, it seems to me, would have to be met from the Consolidated Fund, or if the Le Squez project were not to be funded by financing, the Le Squez project would have to be funded from the Consolidated Fund. But I do not think initial *vires* arises. I hope that is helpful.

1.4.11 Deputy C.D. Curtis of St. Helier Central:

When Deputy Wilson brought a similar proposition or amendment on Le Squez last year, I could not support it due to needing to prioritise the town youth centre. I would have liked to support it, but bearing in mind that there was no main youth centre for children in town, I had to prioritise that.

[15:30]

However, I am happy to support Deputy Wilson this time. I visited the Le Squez Youth Centre and I understand that there has been feasibility work. I do not really see why it cannot be brought forward if the will is there. The Children, Education and Home Affairs Panel brought a successful amendment several years ago around improvements at Le Rocquier, and we waited a long time for those improvements. It does seem that projects in the east of the Island never seem to happen. Therefore, I think it would be good to get something more definite in place for this Le Squez project, and will support it.

1.4.12 Connétable M.A. Labey of Grouville:

On Thursday, 2nd November 2023, an infamous day indeed, we had a new youth worker arrive at the Gorey Youth Club, his name was Ciaran, and for those of you who remember what happened on 2nd November that year, it was the aftermath of the storm. I am just hoping now that he has been transferred to the Le Squez Youth Club that this storm does not hit that particular club when he arrives. But he is a wonderful youth worker, he has done wonderful work at the Gorey Youth Centre, and I wish him well in his new career. As the chair of my panel has already said, we had the honour of visiting both the St. Helier project and the Le Squez project and both of them, especially the St. Helier project in its infancy, shall we say, looks incredibly impressive and it is a marvellous bit of work. I congratulate all of those who are involved in it. We did also visit Le Squez and it looks a little tired but it certainly has 2 more years left in it before the potential redevelopment happens, and I think that the facility that it provides will be much enhanced by their new youth worker, but it certainly has the potential to carry on for a little while longer, in my opinion, so I cannot support this amendment.

1.4.13 Deputy D.J. Warr of St. Helier South:

This is just a little bit of a riff on my original meanwhile youth speech, and I just want to remind people what was said then. I am increasingly concerned for the health and well-being of our teenage population. C.A.M.H.S. (Child and Adolescent Mental Health Service) currently have 1,983 young people with open cases. The number of new cases being referred to them is 100 per month. That comes with a price tag of just over £6 million per annum to Health. What are we doing to stop this disaster? Too many suitable spaces have been closed down and not replaced in the meantime. Fort Regent at the end of this year, the skate park over 18 months ago, aMaizin! Maze, Tamba Park, the list is long. Why is it we have so much trouble hearing what our young people have to say? Never before have we needed action today for our teenage population. The evidence is right in front of us. If we choose to look at it, we have an existential problem with our teenage population today. We are not great at using data in this Assembly, but here is some. In the C.A.M.H.S. annual report of 2024, the number of young people open to C.A.M.H.S. at the end of 2024 was 1,949. Back in 2019, before COVID, that number was just 721. The problem has nearly tripled in size. We have an existential problem. In addition, the waiting list is now for diagnosis up to 2 years. Never forget that behind every statistic is a real human being, a family in crisis, a child in crisis. Surely, we need to be doing something now. Therefore, I will be backing the Deputy's amendment.

1.4.14 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

We recognise the challenges that Deputy Warr has just mentioned. We recognise that our young people need more investment, and that is why I am pleased to say that this Government has put more investment in the last 2 years or planned more investment to support young people than we have done for many years. If I was the Constable in St. Clement or a Deputy in St. Clement, I would be fighting hard for this, like they are quite right to do, and I had a really good visit last year, and I will come to that in a second; 11,500 people in St. Clement, and 40,000, I think, in St. Helier. What do we have in St. Helier? Very little. Practically nothing to support the youth, and that is why there is a big investment going into the new St. Helier youth facilities. I wish we had the funds available to do St. Clement at the same time or bring it forward. I enjoyed the visit last time and I did say we would do

everything we can to do St. Clement as quickly as we can, and what we have put in the Budget is, I think, as quickly as we can do it. Not just because of the logistics of the planning that needs to be done, but because of the funding and the fact that we have prioritised St. Helier simply because there is hardly anything in St. Helier for the youth, where St. Clement's facility does need investments but it is at the moment a good well used, well run, valuable facility. We are asking St. Clement to hold on for a little while because we will get there. I want to align myself to Deputy Mézec's words about being held to account. Well, of course, we can all make good intentions, and this is more than a good intention from this Government's past. This is a genuine commitment, as far as we are concerned, to get that work done in St. Clement and support the Deputies and the Constables and the parishioners and the youth to have better facilities there. I remember growing up in St. Helier, I lived in St. Saviour's Road. We had Aquila and Seaton and a number of youth clubs. Who went to the Revolution? Anybody remember that? Probably, yes. The singing postman from Grouville. Who said there is no entertainment in Grouville? I think I would have to disagree with that. Do not forget the new facility of Oakfield. The Minister for Infrastructure might say that is technically in the east of the Island. Well, it is sort of on the outskirts of town, but it is in a better and a more convenient place for the east. Going to the St. Helier facility, the big hub in St. Helier, I know it is more convenient for people who live in St. Helier, but it is a facility for youth of the whole Island to go to and utilise. If I can just refer back to the Minister for Treasury and Resource's comment about borrowing, and I think what she did mean, and she can kick me under the table if I am wrong, is that we cannot borrow for one thing and then use it on another. I cannot imagine what the C. and A.G. (Comptroller and Auditor General) and Deputy Gardiner would say about that when they had a look back. I think that is what we were saying. If we borrow for something, we have to use it for that thing. I commend all the Deputies of the Parish and the Constable for fighting for this. I want to reassure them that this Government is behind them. The timing is a bit difficult because of the financial restraint we find ourselves in. I hope I have explained the rationale for just putting the youth facility in St. Helier ahead of St. Clement at this stage.

1.4.15 Deputy R.J. Ward of St. Helier Central:

It was some years ago when I was a young, aspiring member of the Assembly. It was St. Helier District 2; you got that one wrong. Yes, we brought an amendment. The reason I mention that is it took years after that amendment was taken for the work to happen. I spent a long time, and I say to the Deputy who has brought this: "I remember and I feel your pain", because I have been there. But I do have to say that the relief that the St. Helier youth facility is now being built is palpable for me, and I think it is such an important thing in such a densely populated area of St. Helier. That is really important. Le Squez does have a facility. Of course it can be better, but I agree with the Constable of Grouville, I think it has got some more time in it. I have to say to Deputy Warr, he is right. We do have to make sure we have these facilities. But that is why we have the youth facility in the centre of St. Helier. It is also why we needed to not vote against the money for Fort Regent, but the Deputy may have done that the other day. We have to be consistent in what we are doing here. We do need to redevelop those, and it is that investment that will tell for the future. I always think there should be a pragmatism in Government and if there is any way to move something forward, I would support that as well. I think I said that in the last debate. I think this is a better debate because before there was an element of pitching one Parish against the other to get something built and I think it went down that run. This is not doing that. It is looking at money from Fort Regent, and I get that. We are also in a position of having something being built, which is really important. I will remind Members that there is no youth facility in the centre of St. Helier. I know we have the park, but there is not a specific youth facility, and indeed, because of that lack of facility, it is what is creating some of the problems in the park. We do not have the proper facilities nearby for young people to go to. But that is all it is. Once that is built, that is going to make a massive difference. When we build the new school, which will be open to the public, because it will be purpose-built in order to do that, there will be even more facilities, we will have a 5G pitch. I can never remember how many Gs these

pitches are nowadays. But there will be a pitch on top as well. That is a co-ordinated and joined-up approach to producing facilities for people, and I think that is really important. Also, good to hear Deputy Alex Curtis talk about just running around in the fields. I thought he was going to say: “Jumpers for goalposts”, because that is what occurred to my mind. He is quite right, there is some simplicity here. It is open and I am working with the Minister for Infrastructure to really open up our schools. The challenges with some is they were not designed to do that, and so you have to open up the entire building. That is why when we design new schools, we have to do it properly. So, I cannot support this amendment at the moment, but I understand the need.

1.4.16 Deputy M. Tadier of St. Brelade:

Like Deputy Coles, I am quite sympathetic to this proposition in many ways. I also have to say that in a lot of ways, I see St. Clement as basically the eastern twin of St. Brelade. We have many things in common as a constituency and a Parish. We are both southern coastal districts with strong urban areas, perhaps a bit more countryside in St. Brelade, but there is a backdrop in St. Clement as well. I think both have youth facilities that are vital for the suburban areas of St. Brelade and St. Clement, so there were strong similarities. Even though St. Clement is perhaps a bit closer to town, I think Deputy Stephenson earlier gave us a good analogy about how it might just be a bus ride or a short walk away, but it is still not your youth facility. But we are not comparing one with the other and we are not pitting one facility against the other here, thankfully. What makes me want to support this potentially is the fact that we have the Chief Minister giving Ministerial support to this in principle, saying that we can give a commitment to this, but this is only this Government. This Government cannot speak for whatever will happen after June 2026 next year. So, only some 6 months away now, there will be a new Government forming, and the commitments of this Government, as well-intentioned and as honest as they are, they are not necessarily worth anything in terms of the deliverability. The second compelling argument that might make me want to support this, as well as the fact that it is much easier for a future Government to renege on any commitment that this Assembly or this Government gives to Le Squez than it is for them to renege on commitment to Fort Regent. the Fort Regent development is now in some ways a juggernaut, and quite rightly. I think we are all optimistic about what may take place at Fort Regent, and I think that train has left the station and it is a case of what we will see up there, not if we will see anything, and it would be much easier for that money to be replaced. I think if this money is removed, some more money we will find magically appear as and when it is needed for Fort Regent to go ahead. I am not so sure that if there were a competition for funds in the future, that money would be so easily found for Le Squez. So, I leave my thoughts there and I look forward to any further comments from the mover of the proposition in summing up.

The Bailiff:

Does anyone else wish to speak on this amendment? Deputy Wilson.

1.4.17 Deputy K.M. Wilson:

First of all, thank you to everybody for their contribution and their measured thoughts on this amendment. I will try and go through each of the points that I have captured here. One of the things that we have been hearing about is the notion of equity when it comes to provision of youth facilities in the Island, and I am pleased to say that we have moved on from that kind of adversarial debate that we had last year between St. Helier and the needs of St. Clement. Having said that, I think it still does not address the fact that we are still stuck with an issue.

[15:45]

While I accept that Deputy Ferey has mentioned that the project is safe, similarly Connétable Labey, the thing is that if you speak to the young people, they want something to be done. This amendment was really about asking could it be done sooner rather than later. The issue around the promises that

have been made before, the Connétable of St. Clement talked about how many times we have been promised facilities in the area. We might just get a football pitch at this time. I think that really goes to the heart of my amendment, is that we do not want to have a begging bell for St. Clement. We do not want to be considered an afterthought. We want to see that commitment becoming real. One of the things that was really interesting to hear about is why there cannot be flexibility in the way this project could be funded. I am grateful to Deputy Renouf for seeking clarification on the technicalities around the borrowing in relation to Fort Regent and this project. Personally, I think we could have been a bit more creative. I think we could have looked at whether the investment in Le Squez would have brought a return over that period of time. I certainly believe that given what we are told about the rates of borrowing, that we probably would not have needed to spend more if we committed to it this time than we might end up paying for in 2 or 3 years' time. One of the other issues, was I accept Deputy Alex Curtis's idea that maybe we should just get people running around and playing and being in the open air. But on a Friday night when it is teeming and when you are standing in the doorway with young people on the Friday nights desperate to get into the youth centre, it really brings home to you just how important it is to have a facility that can provide for all weathers and not just when it is raining. One of the things that we have been trying to talk about in the community development group is if we, as a group of people who are interested to support youth development in the area, can personally explore any other ways of trying to secure capital or investment in this project. I do not particularly want to just leave this amendment. I am well aware that it may well not be supported today, but I do want to reflect some of the commitments and intentions that have been made by Deputy Mézec and other colleagues around the Assembly, that the commitment is there. I would like us to look at some of the options that we could explore if we cannot develop the project on the basis of which this amendment is brought forward. I do think we need to be more agile. I do think we need to be more creative. It feels very linear in terms of the way that we do things. I suppose what I am looking for is some sort of enterprise, some sort of innovation to try and address what I think is quite an intransigent issue. I do not really want to feel Deputy Warr's pain. I am feeling it now, but I do not want to feel it for too much longer. I want to feel joy. I want to share in the joy that young people experience when something happens for them. I do welcome the support from Deputy Tadier and Deputy Catherine Curtis, and the commitment made by Deputy Mézec that in the event in 6 months' time that this might be an election issue on which they would like to campaign, then I would be very happy to see at least the profile of the needs of young people being promoted in the area. I will leave it at that. One of the things that, if I could just finally comment on, is what this amendment does is it highlights the lack of responsiveness to requests that come from the people. I will just leave it at that.

The Bailiff:

Is the appel called for? The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. All Members have had the opportunity of casting their votes. I ask the Greffier to close the voting. I can announce the amendment has been rejected:

POUR: 14		CONTRE: 29		ABSTAINED: 1
Connétable of St. Clement		Connétable of St. Helier		Deputy Sir P.M. Bailhache
Connétable of St. Ouen		Connétable of St. Brelade		
Deputy M. Tadier		Connétable of Trinity		
Deputy L.M.C. Doublet		Connétable of St. John		
Deputy I. Gardiner		Connétable of Grouville		
Deputy T.A. Coles		Connétable of St. Mary		
Deputy D.J. Warr		Connétable of St. Saviour		
Deputy H.M. Miles		Deputy G.P. Southern		
Deputy J. Renouf		Deputy C.F. Labey		
Deputy C.D. Curtis		Deputy S.G. Luce		
Deputy H.L. Jeune		Deputy K.F. Morel		

Deputy B. Ward		Deputy M.R. Le Hegarat		
Deputy K.M. Wilson		Deputy S.M. Ahier		
Deputy L.K.F. Stephenson		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy I.J. Gorst		
		Deputy L.J. Farnham		
		Deputy K.L. Moore		
		Deputy S.Y. Mézec		
		Deputy B.B. de S.V.M. Porée		
		Deputy M.R. Scott		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy A.F. Curtis		
		Deputy M.B. Andrews		

Deputy M.E. Millar:

Can I apologise. I was distracted and I somehow omitted to vote. I apologise.

1.5 Proposed Budget (Government Plan) 2026-2029 (P.70/2025): twenty-first amendment (P.70/2025 Amd.(21)) - Delivering the £500,000 Commitment for Neighbourhood Regeneration in St. Helier

The Bailiff:

The next matter for consideration is the twenty-first amendment lodged by Deputy Gardiner, and I ask the Greffier to read the amendment.

The Greffier of the States:

Paragraph (b)(viii) – After the words: “Summary Tables 5(i) and (ii) of the Report” insert the words – “, except that in Summary Table 5(ii) there should be inserted a new row entitled “Neighbourhood Regeneration of St. Helier” with an allocation of £167,000 to each of 2026, 2027 and 2028, and a corresponding decrease for each year to the row titled Infrastructure Rolling Vote and Public Realm”.

Paragraph (b)(vii) – After the words” “In the Appendix to the accompanying report” insert the words “, except that (a) on page 60, after the words “to revitalise St. Helier” there should be inserted a new paragraph as follows – “The Budget allocates £167,000 in each of 2026, 2027 and 2028 to provide funding for the specific regeneration of St. Helier Neighbourhoods, as previously agreed within the Amendment to the 23rd Amendment to the Proposed Budget (Government Plan) 2025-2028”, and (b) on page 60, in Table 25 - Infrastructure, there should be inserted a new row entitled “Neighbourhood Regeneration of St. Helier” with an allocation of £167,000 to each of 2026, 2027 and 2028, and a corresponding decrease for each year to the row entitled “Infrastructure Rolling Vote and Public Realm”.

1.5.1 Deputy I. Gardiner of St. Helier North:

As the Minister indicated yesterday to the Assembly, this amendment was accepted, so I am sure that everyone will be happy to hear that I have a very short speech, saying thank you to the Minister and the Council of Ministers for accepting this amendment. This small but meaningful decision will now allow Parish and the Infrastructure officers come together, sit together, and plan the next phase of neighbourhood improvement with certainty. As Members know, funding is matching. Every pound committed by the Government unlocks a pound from the Parish, and vice versa. The partnership

model already have known results, Halkett Street, Pomona Road, and others. Today's decision means those new projects can move forward. It is a practical step fully aligned with our shared commitment to revitalise St. Helier and improve daily life for people who live in town. Thank you again to the Minister and the Council of Ministers to enabling this progress. It is a small amendment, but it will make a meaningful difference to people living in town.

The Bailiff:

Is the proposal seconded? **[Seconded]**

1.5.2 Connétable A.N. Jehan of St. John:

I just want to thank the Deputy for working with us. Our public realm is not always popular, but it is necessary. It is a way of us extending the usable space within St. Helier and other areas, and we look forward to continued partnership working with the Parish.

1.5.3 Deputy S.Y. Mézec of St. Helier South:

Just very briefly on this. As a St. Helier Deputy, I am pleased at the position that everyone has arrived at on this, and the Minister just now said the public realm is not always popular. I have always found that bizarre. Surely places being nicer is a good thing. There have been a few projects recently that have been really good. New Cut in town, absolutely, it is a million times better than what it was beforehand. The reason for me standing is I wanted to commend the Parish of St. Helier for its neighbourhood improvement area schemes that it has been focusing on in recent years, which has been a really welcome development, not just as a representative of St. Helier, but someone who lives there and spends lots of time wandering about the place there that they have been really good. If this can open the door to more projects like that to make the town and the outskirts of town, the neighbourhoods of town more pleasant places for people to live that has got to be a good thing. In celebrating the success that the Parish has had recently on that, I thought it was worth just highlighting, of course, the Constable has played a leading role on that, but he is been very ably supported by a C.E.O. (chief executive officer) in the Parish who is coming towards the end of his tenure, who has done an absolutely fantastic job, and I wanted to put that on record. I know I am speaking on behalf of all St. Helier Deputies when I say how grateful we have been when we have had to raise constituency matters with him and work with him on some of these schemes as well. So, let us hope to see more of that in the future.

1.5.4 Deputy I. Gardiner:

Just to say thank you, and I join Deputy Mézec to say thank you to the town C.E.O., and I am sure all parishioners and all Islanders will enjoy St. Helier improvements because everyone coming to enjoy the capital. I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the amendment has been adopted unanimously:

POUR: 42		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				

Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

1.6 Proposed Budget (Government Plan) 2026-2029 (P.70/2025): fifth amendment (P.70/2025 Amd.(5)) - as amended (P.70/2025 Amd.(5)Amd.) - Upper Earnings Limit

The Bailiff:

The next amendment is the fifth amendment proposed by Deputy Coles. Deputy Coles, there is an amendment lodged by you to your amendment. Do you wish your proposition to be read as amended?

Deputy T.A. Coles of St. Helier South:

After much discussion with myself, yes.

The Bailiff:

Are Members content for that to occur? Thank you. The Greffier will read the proposition as amended.

The Greffier of the States:

Paragraph (b)(xi) – After paragraph b(xi) insert new paragraph b(xii) – “b(xii) to agree that the upper earnings limit, as defined within Schedules 1A and 1B of the Social Security (Jersey) Law 1974, should be removed from 1st January 2027, abolishing the upper earnings cap on Social Security Contributions and increasing the closing balance of the relevant funds by £6,000,000.” and

redesignate the existing paragraphs accordingly. Paragraph (b)(xi) – After paragraph b(xi) insert the new paragraph b(xii) – “b(xii) to agree that the upper earnings limit, as defined within Schedule 1C of the Social Security (Jersey) Law 1974, should be removed from 1st January 2027, abolishing the upper earnings cap on Long Term Care Contributions and increasing the closing balance of the relevant funds by £11,000,000.” and redesignate the existing paragraphs accordingly.

[16:00]

1.6.1 Deputy T.A. Coles:

I know we have been here before, but I will start by stating the obvious. The upper earnings limit applies to the contributions to both the Social Security Fund and Long-Term Care Fund. Part (a) of this amendment applies only to the employer's contributions to the Social Security Fund for their employees that earn over £317,000 per year. So, only applies to employers. Part (b) of this amendment applies only to individuals with an annual income of over £317,000 per year and their contributions to the Long-Term Care Fund. I know that we have been here before, but what is the difference this time? Firstly, I have brought this amendment in parts and will be taking the vote in parts. This will allow Members to decide whether they believe that one or more of the funds need extra contributions. With some of the comments and commentary, it is likely that all Members will decide that both these funds do not need additional contributions. However, Members have debated funds paid to the Social Security Fund as well as services funded by long-term care. I am someone that believes that society only exists when we all feel we are in it together, and that contributions are made fairly. That brings us to the questions of fairness and what is fair. To me, fairness, when it comes to tax and contributions, is in percentages. We set the numbers and everybody should be expected to pay and contribute that percentage in tax and social. But of course, we have not got the percentages balanced in Jersey. We have different levels of corporation tax, income tax, and of course, contributions to social security and long-term care. As has been mentioned in recent questions and debates, questions have been raised in connection to successive Governments adjusting the States' grant to the Social Security Fund and the current strength of the fund. I have no doubt that the fund is as strong and as secure as the Minister for Treasury and Resources and the Minister for Social Security have said. However, as we are in a time when there is demand on our tax revenues and they are being stretched, we need to consider other methods to securing income into the Social Security Fund and this amendment, if adopted, will see roughly £6 million added to the fund each year. So, the elephant in the room when it comes to employers' contributions is the outcry from the U.K. and the U.K. Government's decision to increase employers' contributions of National Insurance. Okay, I acknowledge that has happened. However, there is a big difference between that and what I am proposing here. The Labour Government increased employers' contributions from 13.8 per cent to 15 per cent on all National Insurance contributions. There is no cap in the U.K. I am simply proposing that we remove the cap which sees employers stopping paying social security contributions into the fund. I know some in here will say that this is a tax on business and businesses. In my mind, the cap has been a tax benefit to employers that we should no longer continue. I am sure we will hear the argument that businesses will leave, but of course, this is just fearmongering. The vast majority of these companies' employees earn well below the upper earnings limit and already pay the maximum contributions for these employees. We are only talking about companies paying an employee more than £317,000 a year. The comparison to the U.K. and the activity in recent budgets there is also a false narrative. If we compare the National Insurance contributions versus social security, there is a massive difference. In the U.K., an employee earning £320,000 a year, the employer would be expected to pay £47,250 a year. In Jersey, the employee earning the same £320,000 a year, the employer would be expected to pay £10,700 a year under our current model. Should this amendment be adopted, that would rise to £11,166 a year. It is still £36,084 less than the U.K. When we consider our Zero/Ten corporate tax structure, businesses benefit from being here. By removing the upper earnings limit on employers' social security contributions, businesses are still benefiting from being here. With the extra £6 million generated for our Social Security Fund,

we will be better looking after our people into their old age. The fund will be stronger, last longer, and may be able to offer more to our pensioners. I strongly encourage Members to support part (a) and remove the upper earnings limit on employers' contributions to the Social Security Fund. Part (b), I can appreciate why some Members might be more reluctant to support this part of the amendment as a Long-Term Care fund, or L.T.C., is a means-tested benefit. It is safe to say that pretty much everyone that this amendment would impact will see no benefit from it. So, I am sure this will lead to Members asking: "Why am I sticking with this amendment?" On page 89 of the Budget, we can read about L.T.C. and the Government's plan for it in the coming years. The risk to the fund due to increasing costs and complexity of conditions into old age has led to the Government providing estimates in the Budget, which will show that there is an increased percentage of contributions on all people paying into the fund of an additional 1 per cent. That means that from next year, work is going to start to break the legislative changes that would see hardworking people from January 2027 starting to pay 2.5 per cent on all of their taxable income, while leaving those who earn over £317,000 with the cap in place would not pay a penny more. Meaning that the more that they earn, the lower the effective rate becomes. At the current rate, L.T.C. is capped at £4,755. So, someone with an income of £317,000 pays the same as somebody with an income of £500,000 or £1 million. The person bringing in £500,000 only pays 0.95 per cent of their income, while the millionaire only pays 0.47. How can we, in good conscience, expect those struggling now to pay more when those bringing in the most are paying less by a percentage of their income? Before we consider increasing the rate of L.T.C. to secure the fund's future, we need to address the cap. Some Members will be concerned that most of us in the Assembly will not receive much, if any, financial assistance from L.T.C. But think of those who do. Should not everybody be able to be treated with dignity in their time of need, offer them help and support when they need it? The removal of the cap will mean Government can reconsider the need to increase L.T.C. across the board. Government can work on different avenues surrounding long-term care. I urge Members to support part (b) and prevent an increase in Long-Term Care for the many and bring balance of fairness. I am going to keep it short. and also I will make my amendment there.

The Bailiff:

Is the amendment seconded? **[Seconded]**

Deputy B. Ward of St. Clement:

It is not to speak to the amendment, it is just a point of clarification, please. You were saying that L.T.C. is means tested. Could you give some further explanation as to what is meant by that, because I thought L.T.C. was based on how much you are earning. So, if you could clarify that for us.

The Bailiff:

Is there a point of clarification?

Deputy T.A. Coles:

Yes. Sorry, means-testing is the wrong phrase. It is about how much assets somebody holds to what they are entitled to then claim back from the fund. If you have assets over a certain amount, then you have no access, as I believe it.

1.6.2 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

As the Deputy said, I somewhat feel I could really shortcut this speech by just sending you all a link to the speeches that I made in 2022 and 2023 on this subject. I am slightly surprised we are discussing it again. My recollection is that Deputy Mézec told us in 2024 that this would not come back in this term, but we all know it is a key part of the Reform manifesto, which nobody has yet mentioned. As we are now clear, we have debated the upper earnings limited twice already during this term, and my position today is the same as it was on both of those occasions. Firstly, we should not be taking any action in respect of the upper earnings limit, or indeed any element of social security or long-term

care contributions, until we have both the outcomes of the full reviews of the Social Security Fund and the Long-Term Care Fund, that I believe the Minister for Social Security has already instructed. She has also chaired reviews which were very instructive in terms of what is required in those funds going forward. The Social Security Fund is very healthy, as we have said repeatedly, and does not itself need more funding. I have no doubt that the Long-Term Care Fund will need contributions to be increased in the not-too-distant future, but simply asking a very small number of people to fund the required amounts is not going to be enough. Everybody will have to pay more in due course. In any event, implementing a major structural tax change via an amendment like this risks damaging Jersey's competitiveness and sends the wrong signal to businesses planning their future in the Island, just at the time when we are doing a lot of working on seeking to enhance our competitiveness. We cannot assume that businesses think they are lucky to be here. We have got to fight for those businesses to remain and we should not forget that. There is an astonishing level of complacency in Deputy Coles's speech. They are not lucky to be here; we are lucky to have them. The amendment relies on revenue from a small, very mobile group of high earners on whom Jersey already heavily depends. If this amendment drives even a few of those taxpayers to leave or their employers to move business activity elsewhere, overall revenues could fall and not rise. I am sure, based on our earlier debates, that that comment will cause Deputy Mézec or one of his colleagues to stand up later on and say: "But of course you know young people are leaving this Island." If these people leave the Island even more young people will leave because there will be nothing left for them here. We need this income in the Island. We can look to what has happened in the U.K. Reports in the U.K. are that the increase in U.K. National Insurance has led to a loss of 185,000 jobs in their economy. At the question time event last week many people in that audience were concerned about our economy and what we were doing for it, and I have spoken about that briefly already. This sends entirely the wrong message to our business community. Long-term care is already progressive and is linked to income tax, so the fairness case is overstated. My understanding - and I admit I am rusty - is that long-term care is a universal benefit available to everyone who needs it once they have paid an immediate share of some £60,000 ... sorry, £70,000 I am now being told. Once you have paid your care costs of up to £70,000 you then qualify ... there is an amount that everybody has to pay and once they have paid it they are entitled to long-term care at the same rate as anybody else, subject to their care needs. They will not get the income support element and they will not get the other elements if they can afford it, but they do get long-term care regardless of need. It is a universal benefit. Removing the upper earnings limits for social security is in effect, yes, you guessed it, a tax on employers for locating well-paid leadership jobs to Jersey. The upper earnings limit has already more than doubled since its introduction in 2012 from £150,000 to a planned £330,000 in 2026. This included a 40 per cent increase in 2020 along with a rate rise from 2 per cent to 2.5 per cent on employers. For those reasons, I remain firmly of the view that this amendment should be rejected as it was on the 2 previous occasions a similar proposal has been brought before us. There is no good reason to adopt a different approach now and I strongly urge Members to vote against both parts of this amendment.

[16:15]

1.6.3 Deputy S.M. Ahier of St. Helier North:

Those of us who have seen any number of Government Plans over the years will be familiar with the position of Reform Jersey in regard to social security contributions and long-term care tax. A similar amendment has often been brought by Deputy Mézec in previous years but on this occasion Members will have the option of voting for either suggestion separately. Deputy Coles mentions this in his amendment where he states that during the 2024 Government Plan debate some Members preferred to await the outcome of the ongoing actuarial reviews of the funds. Those reviews published earlier this year did not raise concerns and so it seems to me that such drastic action would be inadvisable at this current time. I must accept that it makes a change for Reform Jersey to be attempting to balance the books, even though they are the ones who are supporting the huge increases to the civil service wage bill that we have seen over the past 2 years, and of course more to come in 2026. This

does seem to be an effort to try to reduce the number of wealthy residents and high earners coming to Jersey to boost our economy and who are already making large contributions to the Treasury. When considering the art of taxation, losing millionaires and entrepreneurs is never a good idea. A French Finance Minister once said: “You are supposed to pluck the goose so as to obtain the largest amount of feathers with the smallest amount of hissing.” The Deputy wishes to throttle the golden goose. I would like to remind Members of the great work that Locate Jersey are doing to promote our Island. They very rarely receive the credit that they deserve. Recently there was a double page spread in the *Sunday Times* commenting on the number of families relocating to Jersey and, as we all have discovered, the number of 2(1)(e)s this year has reached a record of 36 being approved to arrive on the Island. I believe that 5 of the arrivals in the last 2 years have been billionaires and the majority are from the U.K., trying to escape from the Labour Government’s assault on wealth creators, which seems to be a policy that is shared by Reform Jersey. To my eyes, we must continue to attract those who are able to invest in our Island economy and I believe that this amendment will send the wrong message to those who can choose where they wish to be domiciled. I advise all Members to vote against this amendment.

1.6.4 Deputy A.F. Curtis of St. Clement:

I only wish to put my light on because the Minister for Treasury and Resources asked us to read her speeches from 2022 and it may be slightly tangential but in 2022 the Minister for Treasury and Resources was very clear that the Long-Term Care Fund, and in particular the Social Security Fund, were hypothecated funds, and she said: “Would the Assembly be happy to vote to take money from either of these funds to support general reserve or meet other costs?” She may not have wanted to talk about that during this Budget. Members have Hansard accessible online and I am sure they can read the rest of it.

1.6.5 Deputy S.Y. Mézec of St. Helier South:

I am grateful to Deputy Curtis for pointing that out because I certainly am looking forward to the support of Members who were concerned at the future of funding for the Social Security Fund as this amendment has nothing but a positive effect on it and mitigates any future pressures that may arise from decisions made - whether you agree or disagree with them - in this Budget. That is one of the senses in which Deputy Coles proposes this at a helpful moment. But when these debates come and go they make me think of the rather cynical line that we often hear from members of the community when they are explaining why they do not engage with politics. We have all heard it before, people say: “Politicians, they are all just the same, are they not?” This is one of those debates that proves that is complete nonsense and in fact politicians from different wings of politics find themselves approaching subjects from different universes frankly, as much as what has been said by opponents of this amendment are things that I find unrecognisable with the reality that I live in. The Minister for Treasury and Resources said a very revealing line in her speech when she referred to the future of these schemes saying: “Everyone will have to pay more in due course.” I really, really hope that is front and centre of the election manifestos next year of those who oppose this because despite the inaccurate and disparaging remarks about Reform Jersey’s position on financing our public service through tax and spend - Deputy Ahier being the one guilty of that so far - is we are straightforward and honest with the public about those challenges when it comes to election time, and we face that on by having principles in what we stand for, which is we should not be piling on regressive taxes and stealth charges on ordinary working people in Jersey while the unjustifiable loopholes exist for those at the top. I do not know if the Minister for Treasury and Resources thought she was laying a trap here when she said that I will inevitably come back with my standard line about young people leaving the Island when it is referred to the prospect of high earners leaving the Island with policies like this. But I just wonder if Members know how it must feel to be a young person looking at your prospects in Jersey and not being sure that they are good enough to justify staying here, and hearing leaders bending over backwards to say: “We must come up with exemptions and loopholes for these

people, but you down there, tough luck, you are not getting a look-in in any of this and we are not going to consider you at the same level, because it is one rule for them and another rule for the rest of us.” That is what is at the heart of this, and this is what we accept is unjustifiable in our tax system. I love the fact Deputy Ahier brought this up, he brought up the record numbers of 2(1)(e)s coming to the Island. Well, boy, I cannot wait for all that wealth to trickle down because that is apparently what that is all about, and yet we are still in such a difficult position with our public finances. Is that not a sign that the model is not working? The fact that we keep doing the same things we have been doing and yet we still have all these problems that we are arguing about in this Assembly - that is the evidence as clear as day that the totality of our tax-and-spend model is not working. So what Deputy Coles proposes in this is about as harmless as you could get. Asking for the cap to be lifted on employers’ social security contributions, the idea that lifting that cap, which is 2.5 per cent by the way on that income above £317,000, will push people out of the Island is, in my view, not just unevicenced and unbelievable but I think is slightly unpatriotic as well because I think this Island has so much going for it that 2.5 per cent on income - that is the employer paying it, not the employee, the employee does not get touched by that, does not mind - that is going to be exclusively the kind of roles that if you are going to ask the person working that job to relocate, firstly relocate where because if it is to the U.K. they will be paying substantially more anyway, even under this policy. But are you going to ask them to move? The cost of facilitating that is going to be more than the extra you would be paying in contributions anyway. If you were to get rid of that member of staff and employ someone elsewhere, that member of staff is going to be the sort of person who has got a deal written into their contract for what happens when they get gotten rid of like that, and the cost of that - whatever payout it ends up being - is going to be more than the tax that they would be paying for it. It is nonsensical to think that that would be the case. But the rhetoric that it is a tax on jobs, well, yes, most people have to pay a tax on their jobs as well, whether it is their own contributions or their employer’s contributions. Why should that not be the case for others? It is an inconsistent and hypocritical position. The long-term care tax, from its outset it was projected that the rate would need to be raised; it was 1 per cent when it first was introduced, then went up to 1.5 per cent. I think 3 per cent might be the eventual projection of where it is meant to get to. As a society we may think that is a price worth paying to ensure that a long-term care system is in place to benefit all of us when it comes to it. The scheme is by no means perfect and there are things that need to be done, and I know the Minister for Social Security is looking at those. But I think it is unconscionable to ask people to pay a greater percentage on their incomes by saying to one section of society: “You are completely exempt from it.” I just invite Members to think how that double standard plays out to people when it is put to them. I can make absolutely no apologies for supporting what ought to be one of the most basic, reasonable and progressive measures that could be done to our tax system that would raise extra revenue that we know we need. It is beneficial for the Social Security Fund, given that we cannot do anything until the actuarial review. What do you think it is going to conclude? Is it going to conclude that an extra £6 million a year is bad for the fund? Really? No, it is not, it is going to say that would be positive, and of course the same for the Long-Term Care Fund as well. We make no apologies for raising this and we will keep raising it. When future Governments - whether we are a part of them or not - come back with that everyone will have to pay more in due course, they will have us in some shape or form saying the highest earners must be part of that equation because if they are not you are putting a double standard on ordinary working people in Jersey, which is not just morally unjustifiable in the situation we find ourselves in today, it is economically unjustifiable as well. Members should vote for the amendment on that basis.

1.6.6 Deputy M.R. Scott of St. Brelade:

I do believe the previous speaker was talking about different universes, and I do agree that he certainly lives on a different planet from me. I get the feeling that some civil servants are valued more than others when it comes to bringing certain propositions when it comes to Reform pledges. One area that I am thinking of is the Economics Unit in Government, because I am just interested to

know where the economic impact assessment is. Of course I might have been asking this about the Residential Tenancy Law as well, because we did have one, it has just not been published. But I know when we talk about being straightforward and honest it is really important to be transparent, so why not just simply ask for an economic impact assessment that supports the argument. I think I know why but let us move on to the correlation between the number of 2(1)(e) s and increased public sector spending. I would like to refer the previous speaker to a website called statology.org which deals a lot with the difference between correlation and causation on statistics. It shows you these graphs and it shows you that the patterns are almost the same and why some people, therefore, might conclude that the number of Nicholas Cage movies released in a year aligns with the number of swimming pool drownings. It is that sort of thing; it is just not logical. So I say if you really seriously are going to bring something like this, argue the case better. I will not be supporting this amendment.

1.6.7 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Maybe I ought to start with where I agree with Deputy Coles. You are surprised, Sir, I can see that you think is there anywhere I am going to be agreeing with Deputy Coles. But his analogy to the U.K. and his criticism of U.K. policy I absolutely agree with him on. While sometimes in this Assembly we might look to the U.K. and import its overly bureaucratic institutions, legislation, and approaches to things, and we are told in this Assembly that: “The U.K. has got one so we better have one as well, otherwise we will not attract workers and we will not be successful.” I agree with him. Those arguments have had their day. Because when we look to the U.K., and particularly what they have done to dissuade entrepreneurs, high net-worths, innovators in the tech sector, then there should be a salutary lesson to us. It is not scaremongering to say that if we get these policies wrong people are more mobile than they have ever been.

[16:30]

We see in the U.K. thousands upon thousands of highly-skilled, highly-paid individuals, investors that have supported economic growth, leaving as a direct result of policies that believe that life should be something other than it is, and that believe that policymaking can be delivered outside of human behavioural observation. For me, that is a good place to start when considering again this proposal. I absolutely understand Reform Jersey’s manifesto commitment to deliver this change, as well as other changes. We heard, and no doubt we will hear again at the end when we come to discuss the overall Budget, their belief on how we should approach tax and spend. My colleague Minister has on at least 2 interventions so far during the course of this debate said that our tax-and-spend model is broken and that his party will be clear about what their approach is. I think that is healthy because I think at the forthcoming election it does behove us all to discuss our economic model and discuss how we manage public finances. It will not come as a surprise to my coalition colleagues that I do not share the unalloyed sunny upland that party politics are going to manage the economy and lead to suppression of public sector growth, as was articulated. But, again, these are the right sort of approaches that we should be considering. This proposal will, as the mover said, affect businesses and highly salaried employees. For some Members of this Assembly, they will make a simple mathematical calculation. Let us, for example, say you have 100 of these individuals employed across 10 firms, you will simply take the cap away and you will take the contribution to either the Social Security Fund or the Long-Term Care Fund because you have done a mathematical calculation. Yet the evidence from everywhere else in the world shows that in the current economic climate and the global uncertainty, that final calculation does not happen in reality because people move. It really does surprise me that it can be suggested that it is unpatriotic to tell the truth about what highly mobile individuals will do. Because we can make these changes and we can see that sector of either businesses or our community not wholly move but partially move - maybe wholly move - because we are already an expensive jurisdiction, we already manage those individuals who want to come with the benefits of living in glorious Jersey, but they pay for it. Compared to even going a few miles north where the cost of moving there is much less, or to some European member

states, or we will come on to where people are moving now, which we find unpalatable and we do not know how to deal with, but we are not unusual in that regard; the whole of Europe is struggling with that issue. My colleague Minister also said, to use his words: “Well, if we have had all of these 2(1)(e)s then he looks forward to the wealth trickling down that they are bringing.” Well, I can tell him right now that this Budget benefits from the £250,000 minimum tax per annum that they are bringing to this community. That is a simple calculation. That is the commitment they make when they move. But we are not just talking about 2(1)(e)s, and I understand that we can have a philosophical difference about whether we want those individuals in our community, whether we want the family offices that they bring, whether we want the hedge funds that they bring, whether we want the innovation and technological solutions that they bring. We can have all of that debate. We are also talking about the highly-skilled individuals who are not 2(1)(e)s who are employed in this sector of our economy. But that is a choice we can make. I, for one, am very clear which choice I think is in Jersey’s best long-term interest. For me, we do not want those individuals leaving, just in the same way that we do not want our young people leaving or our working population leaving. I very much support the work that he has been doing, the millions of pounds that he has had to support people on to the home ownership ladder, the work that Andium are doing on social housing to give people a hope and a future, but that has to be right across our economy. We have to - not only doing that work - understand where public finances come from and what we need to do to maintain a strong economy, which is what we require in order to deliver public finances to provide those supports right across our community. We cannot disconnect them. I suppose - which I was going to say in another debate - one of the things that I have found difficult about this Budget debate so far is that we are seeing what appears to be division, the separating out. I do not believe that we in Jersey can afford the luxury of being divisive. We absolutely have to work together because where are those thousands of people from the U.K. that their policies are driving out, where is the prime location that they are going to? Are they coming for quality of life to the Channel Islands? Some are, we know that. Are they going to sunny Tuscany or Milan? Some are, we know that, but they are having to adjust their systems as well. But where are the bulk going? Something that we did not think would happen because we thought that quality of life was everything: they are going out to the Gulf, by their thousands. I am not quite sure if I should say this but let us just be clear, I have met with people who were in Jersey, so these individuals come to Jersey but they also move. We have arrivals and we have departures. I have met people who, out of courtesy, because I was involved in their decision to come to Jersey, have come to see me again and have said: “What has really surprised us” ... they use my first name, but I know that is not parliamentary. What really surprised them was that they got off a flight in a said Gulf country, they were met off their plane, they were taken into the offices down town, they were encouraged to relocate, they had access to, on their phone, an application process on an app. They thought well we will apply. There is no tax for them. They are provided with accommodation subsidised. The costs of the moving of their company are underwritten for months. So that is the costs underwritten. They are then moving on to have no tax. Having met the relevant Minister, they were ushered into an ante room, given a cup of coffee, and by the time they had finished their cup of coffee, their application of acceptance and the paperwork was done. This is what we are up against with ensuring that we continue to attract and keep our entrepreneurs, our highly skilled workforce, which is critical to our economic future. That is why, for me, this is a policy which I understand, because the mover used this word many times, for him is based on fairness. But not based on the reality of the world in which we live and which we now, as an Island community, compete. That is why we should have these conversations in this Assembly, because they are critically important. We should have these conversations during election time as well because they are critically important. Would these funds open their arms to more money? Would we open our arms to more money? Of course we would. But if we are going to ask Islanders to pay more, are these the 2 funds that we will be asking them to pay into and is this the way we would want them to pay into? I rather think back again to the Social Security (Reserve) Fund; we have got £2.5 billion in that fund, let us not forget that. Long-term care is more challenging. But the real challenge

for public finance funding is the Health Department and if we are going to make changes and ask Islanders to carefully pay more, back to Deputy Ahier's plucking the goose, then that money should be allocated and we should be saying clearly where it should be going and where the pressures are, not simply coming in as an amendment to a Budget because it is in the manifesto. In a way I do not criticise for that because that is how politics works, that is how it should work. I am not criticising for that. I just do not think that it deals with the challenges that we face as an Island. It certainly does not deal with the challenges we face in public finances, and it would fundamentally reduce our competitiveness at the time when people are more globally mobile, the world is more uncertain, and we see it playing out in real time every day on our TVs, not just here, across Europe and across the world, and I urge Members - my last second - to reject the amendment.

1.6.8 Deputy J. Renouf of St. Brelade:

I think this is a very interesting debate because of its timing. Deputy Millar started the case by saying that this was a case of *déjà vu*. But actually there is a difference, and it was picked up in the comment that Deputy Curtis made, because we are in a very different position with regard to the Social Security Fund than we were before this Budget. I do wonder if the Minister for Treasury and Resources, the Chief Minister, the Assistant Minister for Treasury and Resources realise what they have done. In kicking the door down to the Social Security grant, they have, at a stroke, also kicked away a central argument against this amendment. It is not the only argument, but it is a significant one. The Minister for Treasury and Resources is shaking her head, but I would say it is because previously a central argument against removing the cap was that the fund did not need the money, and I know it was because that was one of the reasons I did not vote for it in the past. Well, it has now lost almost £300 million in income that we would have had, according to the formula when that statement was being made.

[16:45]

At the very least, it is impossible to argue that the fund is in the same place as it was when that argument was advanced. Deputy Mézec indeed picked up this point and argued that if we were against the raid on the grant, then we have to be in favour of this. I do think that one of those unintended consequences, the collateral damage of taking such a brutal measure on the Social Security grant, without doing a full actuarial review, is one of those things that comes home to roost. You kick the door down to something, you can never quite put it back on. It never quite fits in exactly the same way. It is a weaker edifice. You have crossed a little threshold. Members may be thinking then that I am going to support this. But there is another side to this argument. I said it knocked away one of the arguments. But I think there is another one to this. I listened to the speeches, eloquent speeches of course, about this amendment, and the argument is of course an intensely moral one. I think the proposer would accept that and probably his colleagues. But I think when we are discussing issues of tax we have to ask what is the issue it is trying to solve. It seems to me it is trying to solve its own issue because it is a moral issue. It is done for the sake of moral rightness, and so the primary reason for doing it is not to replenish the funds. That is an argument that can now be advanced but it is not the primary reason, and the reason we can say that with some confidence is if the need of the Social Security Fund was the motivation, then you would not start by pillaging it. We are in a contradictory position. The moral argument is of course compelling, but I do think that Deputy Gorst raised important points, and I think the single failure so far in the speeches from Reform Jersey has been the inability to acknowledge that there is potentially any downside to making this change. I do not think that is plausible. As Deputy Gorst argued, there is a real world out there. It may be easy to label people who make decisions on the basis of tax as unpatriotic. But actually, we all make decisions on financial grounds in lots of different ways, about jobs we take, places we live; it is a perfectly normal course of events. So a tax purely to equalise contributions on moral grounds without considering costs is, I do not think, plausible. I would say, pending the full-scale examination of government finances and the examination of the difficult choices that the Island will undoubtedly

face, particularly for Health, as Deputy Gorst says, if we are really tackling those big issues, the fundamental issue may not be - it may be, but it may not be - around the Social Security Fund. I think that we should be thinking about that first. I did argue very strongly in my speech on Amendment 4 that there should be no raid on the Social Security grant without a full actuarial review. I think it cuts both ways. I do not think we should be messing with the Social Security grant until that full actuarial review has been done, not when the arguments are not yet balanced. Members can see that I have argued 2 contradictory things in a way. I have come at this with 2 different things. There is one obvious course of action in this, given this balance of arguments. I am going to abstain. I would say I am going to aggressively abstain on this. It is a kind of plague on both your houses, in a way. A plague on both your houses is perhaps a little strong, but Members will understand the point that I am making. I do think that the Government has made the day when that Social Security cap is removed, they have brought that step significantly closer. I think it is in play in a way that it was not in play in the past, and that is something that they have done. But if I were to accept the argument that that meant we should top it back up, top the grant back up with the £6 million from this, I think it amounts to you steal a quarter of a billion one day and pick someone's pocket to try and make amends the next, and I do not think that is what I am going to do. So, as I say, I will aggressively abstain on the Social Security part. But on the Long-Term Care Fund, actually I have yet to hear a single argument against it. The only argument that has been advanced is that one day we are all going to have to pay more and that the £6 million is not enough. But that is not a compelling argument. If the Government really wants us to vote against that I think we need to hear a much more compelling argument as to why, if everybody is going to have to pay more, that when our first port of call would not be to remove that cap, because otherwise I think ... I do have to say that Deputy Mézec is correct. It is going to be very, very hard to ask people to pay more into this fund without removing that cap; it just is not a good look. I look forward very much ... I hope there is somebody left in the Government who wants to speak who can try and persuade me not to support that part.

1.6.9 Deputy M. Tadier of St. Brelade:

The last section of Deputy Renouf's speech means that I will probably go slightly easier on him, so I do not want to alienate him from at least the partial support. But I was thinking that this proposition, certainly the first part, is grist for his mill in the sense that it gives him the opportunity to take a swipe at both Government - he used to be part of Government, of course, but he is not part of this Government - and Reform Jersey. He must be loving that from his fence-sitting position to aggressively abstain. I have heard the term of radical moderates before, but not of aggressive abstention necessarily. We learn something new every day in this Assembly. Let us put this in perspective. What is being asked for from Deputy Coles? If we take an individual in the Island who earns £500,000 a year, that is not something that applies to most of us; certainly not to most of the ordinary members of the public. But if Deputy Renouf, in particular, could imagine somebody in St. Brelade, perhaps who lives around the La Moye Ring and is quite wealthy, around Petit Port and possibly in one of the penthouses in St. Brelade's Bay, who does have an income of £500,000 a year, as opposed to someone who might have £50,000 living in Les Quennevais Park or Red Houses. What is the impact on that individual from this change if we were to make it today? The impact is that, first of all, for them, when it comes to their social security contributions, no change. What Deputy Coles I understand is proposing here is that, as an employee, on their salary pay nothing extra. So they are not going to be paying any extra social security on that. Correct me if I am wrong. The next point is that the employer would pay something more for that employee, and the sum that the company, let us say, would have to pay that individual on £500,000 a year would be £4,575. That is the differential, so my calculation is 2.5 per cent of £183. That is what the company is going to pay. Are they going to leave the Island when they are not paying any more social security contributions? No, that individual is not going to leave the Island. Why would they? Is the company that pays that individual, who can afford to pay them £500,000 a year, going to leave? Of course, that is a scenario in which they are employed by a company, and I accept that there will be lots of other scenarios

whereby somebody might derive their salary in another way, and they have to pay their own stamp, *et cetera*, and it becomes more complicated. In that scenario, the company is not going to up sticks just because they have to pay an extra £4,500. Let us turn then to long-term care, and this is an area where Deputy Renouf is hopefully going to support the amendment, but I speak to other Members, therefore, is that the 1.5 per cent that we are asking this higher earner to pay, who earns £500,000 a year, is going to pay £2,745 extra from what they would pay now. Now, are they going to leave the Island because of that? Given the fact that the Island has given them employment and they are getting £500,000 a year, that maybe their children/grandchildren are in really great schools over here, that they love the lifestyle in Jersey and that they have either come over here especially or that they are an indigenous homegrown high earner, but are they going to leave to go somewhere else? I think there is scaremongering going on. The arguments about whether cost-benefit analyses or impact assessments have been done, that is an interesting one, is it not, because it seems that we are always asked for those? In the past when I have been in the Assembly and on many times, let us say around 2014, 2016, when we would regularly ask the Finance Minister or the Chief Minister, whoever was in power to justify the stance on 2(1)(e)s, for example, to produce a cost-benefit analysis, they said: "We do not need to do that. We are not prepared to do that." They just took it on faith that this was necessarily a good thing. When Deputy Gorst talks about the need to have a conversation around this, what we are talking about is a debate, because we are a debating Chamber. This is what we are having today, and it is right that we have this during a Budget debate, I think. It is often taken on faith that this trickle-down economics is such, but when it comes to the 2(1)(e) situation, that is taken as an automatic matter of faith. The conversation or the debate really is to put the question back to Government: how can they be sure that the current limits, whether it be on social security or if we were to talk about tax, are set at the right level? We do know that there are going to be demands for extra spending and for increasing income in the immediate future just to stand still, let alone for any type of growth. It is important that we remain open to new ways of getting incomes which are not radical but use the current mechanisms and structures that we have in place already. Certainly, the social security contributions and the Long-Term Care Fund are 2 ways to do that. I would put it back to Deputy Renouf, if you are really struggling and believe that the Social Security Fund ... which I do not think has been raided. I think we are putting slightly less than we would have been into those funds. If you want more money to go back in them, then the people we should be asking to contribute are not the ordinary residents who might live in Red Houses, Les Quennevais Park, in their flats, in their homes on the modest incomes, incidentally who are paying proportionately full social security contributions. They are paying the full 6 per cent on their contributions but of course the higher you earn proportionately you are paying less. I am not sure how the liberals in the Assembly feel about that regressive taxation which applies to social security. What I would say to Deputy Gorst is that it is interesting that he is on first name terms with the people going to and from the Gulf regions. I know he spends a lot of time abroad and they seem to be on first name terms with him. It might be better, especially if he is running for Senator, if he were to be on first name terms with people who lived in Les Quennevais Park, in Maufant, in Red Houses, Gorey Village and started to speak to those people about the real impacts of cost of living, about what they are seeing going out in their wage packets and what they are seeing going out in their social security contribution. Deputy Gorst was the one who talked about having a divisive conversation. It is not us who were talking about division here; it is the system itself, the tax and the social security system. The way it is set up is highly divisive because we treat people fundamentally different depending on how much they earn. We give tax breaks to those who can most afford it, while this Government and future Governments, if they stay the same, are going to be asking those who can least afford to pay it to contribute more. We have already heard ideas about G.S.T. (goods and services tax) going up to 6 per cent to pay for capital expenditure. I think this is why these kinds of debates, not only should we not apologise for them, but it is absolutely right that we have these kinds of debates during the Budget debate. When it comes to Reform Jersey's policies, they will be clear, they will be thought-out and they will be costed.

[17:00]

It is for that reason that we would encourage other Members, if they do not agree with it, we cannot rely on the magic money tree in Cloud Cuckoo Land. We have to rely on real economics based on a system which I believe is that those who are most able to pay and are most able to shoulder the burden of any future demand for increases are the ones who we should be asking first, not ordinary middle earners or low earners.

1.6.10 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

I stand to agree with Deputy Tadier that I do not want to see greater taxation burden or contribution burden on Jersey's lower and middle-income earners but, that said, I do not believe that this particular proposition in any way helps Jersey in its distribution of finances. Quite simply, if we were to accept this amendment and support this amendment today at this time, the message that it would send to the rest of the world about Jersey's business atmosphere would be incredibly detrimental. If we are to change this upper earnings limit at any point, then it should be done in a proper orderly fashion with appropriate consultation so people know it is coming and can be therefore prepared for it. If we were to accept this today, we would be giving employers a year and a few weeks' notice that things are about to change, but that would be done. Any consultation would be meaningless. It would be entirely meaningless, and I think what it would say to anybody wishing to open a business in Jersey is that you cannot trust Jersey to keep to its word or to have a stable base on which to operate. That is one of the worst impressions that we can give to any people wishing to work in Jersey or do business in Jersey. From that perspective, I think it is really poor. I think there is an issue around the wording "contributions in tax" and I note in Deputy Coles's report, he does refer to it as a tax. I also note that in the Minister for Treasury and Resources' comments, she refers to it not as a tax but refers a few times to tax, and it is really important. This is not a tax; it is a contribution and I think that is really important. I must say, I believe Treasury need to be a bit more careful with their wording because this is not a tax and that is one of the really important aspects of this and another reason why I do not think this is the best way to, let us say, raise more money because this does not really fund public services. If this were to be increased, if we were to go with this proposition, we would not really be funding public services. Most of it would just disappear into funds. Yes, it would help some people in long-term care. Yes, obviously, through the social security system it would help people, but it would not be helping the health system. It would not be helping the education system. It would not be helping the Environment Department and that, to me, is an issue because those are the areas that we are trying to stabilise and fund appropriately. This, if we were to accept it, would send an appalling signal out to the rest of the business community and at the same time it would do very, very little indeed to help Islanders in terms of receiving high-quality public services. It would not really change that at all. Maybe around the long-term care it could do a little bit, but at the end of the day, all it would be doing is putting more money into that fund. The scheme itself would remain exactly the same. I do not think this proposition in any way helps us improve public services and I think it sends a terrible signal to anyone in the Island wishing to do business here or seeking to invest in the Island. I think it would be off-putting to them, and we need to have a really clear understanding of what people think about a small jurisdiction that keeps changing its mind or changing the goalposts. People will not be attracted to that. They cannot be attracted to that. I read it in the *F.T. (Financial Times)* earlier today, businesses want certainty. This, in other areas, is something that we can see other massive jurisdictions creating massive amounts of uncertainty. To some extent, they can get away with it because of their sheer scale, size and economic power but they will not be able to get away with it for ever and it will be hurting those countries that act in that way. We, as a tiny Island and 100,000 people - and yes, we have an amazingly large economy for an Island of 100,000 people but it is still a tiny economy compared to pretty much any other jurisdiction around - cannot afford to destabilise what people think of us in that way. I know it is boring from a political perspective, but that boredom is a really good thing. People who are thinking of investing in Jersey, thinking of using our financial services industry or engaging in our economy in any way, we want

them to think of us as really quite dull because they need to know what is going to happen tomorrow when they engage with Jersey. If we were to bring this amendment through today, we would be blowing that whole reputation out of the water and it is a reputation that has taken decades - decades - to create. We need to foster that reputation and I really urge the Assembly not to throw such a reputation away on a Wednesday evening when we are all feeling quite tired. I think that would be incredibly damaging to this Island.

1.6.11 Deputy Sir P.M. Bailhache of St. Clement:

I just want to say a few words because I thought that Deputy Gorst expressed the opposition in his usually eloquent way. I have really not very much to add to it, but I do want to say this: Deputy Coles, in his report, says that maintaining such a structure is both unfair and economically unsound. Unfair it may be. I am not sure, but it may be. Economically unsound, how on earth do we know? We have had from Deputy Coles half a page of analysis of what the economic implications of such a change would be. Even from the Government, we have only had 1½ pages of comment on what this potential change could do to the economy. I tend to agree with Deputy Renouf, that there may be a distinction between the Social Security Fund and the Long-Term Care Fund because long-term care for all its terminology is a tax and it may very well be that there is some justification for removing the cap there but before I even contemplate such a move, I want to have a proper economic analysis. I want to know what the implications are and I, for my part, am not prepared to make a decision of this magnitude on the hoof. It is not the appropriate way to proceed.

1.6.12 Deputy T.J.A. Binet of St. Saviour:

I have to admit I hate standing up to speak here, particularly unscripted, but I do want to thank Deputy Gorst for making what I think was a very sobering speech indeed. It amazes me how blind and complacent we are here when we are told that the very people on whom we rely, and we have got a finance industry here without which we would all be very much more impoverished than we are, and we are being told that the people that we have relied on for 40 years and that have served us very well are going elsewhere and they are being accommodated while they are having a cup of coffee. If people cannot hear what is happening here, I am amazed. I come from a background where the whole time we spent our time looking at how we were going to increase the pot and make more money, not how we were all going to look inwardly and cut it up, and that is what I have seen here for 3½ years. Everybody is squabbling over the pie that is wheeled in on a golden trolley, and has been for far too long. As I say, there is going to be an election soon. This sort of debate should not have happened as an accident. It needs to happen in a much more robust way. I think these issues are going to be extremely important when we come to the next election because if you make everything fair and even, that is fair enough, and it usually tends to end up with everybody descending to the lowest common denominator. I think we need to look forward and have a very different approach to how we do politics over here.

The Bailiff:

Does any other Member wish to speak on this amendment? Deputy Coles.

1.6.13 Deputy T.A. Coles:

I will start by saying that I am glad that I have so much in common with Deputy Millar as the Minister for Treasury and Resources. Not only did we both sum up how L.T.C. is distributed incorrectly, but that more people benefit from it than I had realised, which strengthens my argument as to why it should be more of an equal contribution into that fund, but we are also hopefully going to be successful on the third time of trying. Obviously, the Minister brought the Senators back and it got in on the third time of trying within this term so let us not cast too many aspersions about trying things 3 times and hoping for it to come through again. It is quite interesting that Deputy Gorst has said that he agrees with us in principle on certain things because I probably will surprise him by

saying that I agree with him as well. There are certain examples in the U.K. that I do not think should be replicated in Jersey. For example, their operator tax. You will have to go a long way to convince me that we need to introduce an operator tax before we level the playing fields, before we can say how much money we need to have our tax-and-spend model to work as efficiently and as equitably as possible on the money that we bring in, so he can sit in comfort that there will not be any operator tax coming from me anytime soon. I will go on to something else that Deputy Gorst said. He talked about people going off to the Gulf, being able to be served coffee while their applications are processed and, of course, they do not pay any tax in the Gulf because they have their Sovereign Wealth Fund. Obviously, the world is turning its back on fossil fuels slowly so that is an industry that they are really going to have to look after themselves closely on, and we will see what happens. He says he knows people who go over to the Gulf. I too have met plenty of people who have gone over. Many, many engineers, because that is something that the Gulf has been calling out for, not just finance people. They normally go over there for 2, 3 years before they come back because Jersey offers something that the U.K. does not and the Gulf also does not. Jersey is a very safe Island with good connections back to the U.K., and the most important thing to a lot of these people with high wealth is that we are anglicised. We offer them the same conditions of living within the U.K. that they do not get in the Middle East. There are restrictions on so much in the Middle East that just do not exist in Jersey. Deputy Morel was talking about trust and political stability. Let us not forget there are 10 Members of this Assembly that were elected on a manifesto, a manifesto that we keep aiming to deliver on and, Deputy Millar is correct, this is one of our manifesto commitments. This is why we have brought it back. I do remember earlier in the term when another Members of this Assembly tried to bring something on tax policy in the middle of the year and he was told by one Member of this Assembly that we should be talking about tax things during the Budget, so here I am presenting a tax thing within the Budget. We do have political stability in Jersey. We need to be better to build political trusts. Like I said, Reform Jersey delivered a very detailed manifesto, and we kept to our pledges. We are pushing forward on our agenda. That agenda does not involve destroying the finance industry. That is not something that we stand for. For some reason it has come out there as a sentiment that Reform is anti-finance. We are absolutely not. We are for equality. We want fairness. We want our funds to be paid for equally. Deputy Morel also made the point - obviously that I did use in the report - that I called it a tax because it is collected by Treasury. It is a percentage based on your income, all but by any other name, that is a tax. Of course, we called it a charge, so it is, but all in name. It is disappointing to hear that Deputy Renouf is going to be aggressively abstaining. I thought I had him on a winner when I separated these 2 things out, but he supported the one I did not necessarily expect him to support, but it is good. It is good because people realise that we are going to ask the ordinary Islanders, our doctors, our teachers, our streetcleaners, our shelf stackers, anybody who works in retail, to start paying more in long-term care. If this Budget goes through, on page 89, it gives details that clearly shows that the Government's table of projections include an increase of one per cent on the long-term care charge.

[17:15]

That means from 2027 ordinary working people will be paying 2.5 per cent long-term care. If that element of my amendment here is not accepted then I will be absolutely voting against this Budget as a whole because I do not think that we should be pushing forward with that without clear evidence, as other people have said, as to how that is going to be fairly distributed. I am only one Member; obviously, every other Member can make their mind up what they do with the rest of the Budget, but that is why I am pushing forward on the cap on the long-term care. I will not go on for any longer because I realise we are getting closer to the end of the day. We do not make good decisions when we are tired. I did make the point earlier, I will be taking this in parts, and I will call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. The first vote will be on the first part of the amendment, namely abolishing the upper earnings cap on social security contributions. I ask the Greffier to open the voting. If all Members have had the chance of casting their votes, I ask the Greffier to close the voting. I announce the first part of the proposition has been rejected:

POUR: 13		CONTRE: 30		ABSTAINED: 1
Deputy G.P. Southern		Connétable of St. Helier		Deputy J. Renouf
Deputy M. Tadier		Connétable of St. Brelade		
Deputy L.M.C. Doublet		Connétable of Trinity		
Deputy R.J. Ward		Connétable of St. John		
Deputy C.S. Alves		Connétable of St. Clement		
Deputy S.Y. Mézec		Connétable of Grouville		
Deputy T.A. Coles		Connétable of St. Ouen		
Deputy B.B. de S.V.M. Porée		Connétable of St. Mary		
Deputy C.D. Curtis		Connétable of St. Saviour		
Deputy L.V. Feltham		Deputy C.F. Labey		
Deputy H.L. Jeune		Deputy S.G. Luce		
Deputy R.S. Kovacs		Deputy K.F. Morel		
Deputy M.B. Andrews		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy I. Gardiner		
		Deputy I.J. Gorst		
		Deputy L.J. Farnham		
		Deputy K.L. Moore		
		Deputy Sir P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy M.R. Scott		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy K.M. Wilson		

The Bailiff:

We now move on to the second part of the vote in respect of abolishing the upper earnings cap on long-term care contributions. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce the second part of the amendment has been rejected:

POUR: 16		CONTRE: 28		ABSTAINED: 0
Connétable of St. Saviour		Connétable of St. Helier		
Deputy G.P. Southern		Connétable of St. Brelade		
Deputy M. Tadier		Connétable of Trinity		
Deputy L.M.C. Doublet		Connétable of St. John		
Deputy R.J. Ward		Connétable of St. Clement		
Deputy C.S. Alves		Connétable of Grouville		
Deputy S.Y. Mézec		Connétable of St. Ouen		
Deputy T.A. Coles		Connétable of St. Mary		

Deputy B.B. de S.V.M. Porée		Deputy C.F. Labey		
Deputy J. Renouf		Deputy S.G. Luce		
Deputy C.D. Curtis		Deputy K.F. Morel		
Deputy L.V. Feltham		Deputy M.R. Le Hegarat		
Deputy H.L. Jeune		Deputy S.M. Ahier		
Deputy R.S. Kovacs		Deputy I. Gardiner		
Deputy A.F. Curtis		Deputy I.J. Gorst		
Deputy M.B. Andrews		Deputy L.J. Farnham		
		Deputy K.L. Moore		
		Deputy Sir P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy M.R. Scott		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy B. Ward		
		Deputy K.M. Wilson		

The Bailiff:

The next matter to be considered ...

Deputy I. Gardiner of St. Helier North:

Can I propose the adjournment, please? I would like to explain why. The next amendment is mine. I have 10 minutes for opening speech and I would like to have at least 15 minutes, which is basic time to have in this Assembly to propose an amendment.

The Bailiff:

The adjournment is proposed. Is that seconded? **[Seconded]** Are Members content to adjourn?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

I call for the appel if we are ...

The Bailiff:

Do you want to speak on the proposal to adjourn or are we going to go straight to the appel?

Deputy K.F. Morel:

Not really. I do not want to speak on any of that, Sir.

The Bailiff:

All right.

Deputy L.J. Farnham:

I was just wondering if the chair of P.P.C. has confirmed that we will be sitting tomorrow night, unless I have missed it?

The Bailiff:

He has confirmed that, yes. We move to the appel on whether we adjourn now or not. I ask the Greffier to open the voting. If you want to adjourn now, you vote pour, all right? If you want to

carry on, you vote contre. Pour to adjourn now. Contre not to adjourn now. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce the proposition has been adopted.

POUR: 25		CONTRE: 17		ABSTAIN: 0
Connétable of St. Brelade		Connétable of St. Mary		
Connétable of Trinity		Deputy C.F. Labey		
Connétable of St. John		Deputy S.G. Luce		
Connétable of St. Clement		Deputy K.F. Morel		
Connétable of Grouville		Deputy M.R. Le Hegarat		
Connétable of St. Ouen		Deputy S.M. Ahier		
Connétable of St. Saviour		Deputy Sir P.M. Bailhache		
Deputy G.P. Southern		Deputy T.A. Coles		
Deputy M. Tadier		Deputy M.R. Scott		
Deputy L.M.C. Doublet		Deputy R.E. Binet		
Deputy R.J. Ward		Deputy H.L. Jeune		
Deputy C.S. Alves		Deputy M.E. Millar		
Deputy I. Gardiner		Deputy A. Howell		
Deputy L.J. Farnham		Deputy T.J.A. Binet		
Deputy K.L. Moore		Deputy M.R. Ferey		
Deputy S.Y. Mézec		Deputy A.F. Curtis		
Deputy B.B. de S.V.M. Porée		Deputy M.B. Andrews		
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.S. Kovacs				
Deputy B. Ward				
Deputy K.M. Wilson				

The Assembly stands adjourned until 9.30 tomorrow morning.

ADJOURNMENT

[17.21]