

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 30th SEPTEMBER 2025

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[9:30]

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

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

May I raise the défaut on Deputy Tadier and Deputy Southern, please?

The Bailiff:

I will take them in turn then. Does everyone agree the défaut is raised on Deputy Tadier? And on Deputy Southern?

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Visit by Her Royal Highness the Princess Royal

I am pleased to advise the Assembly that Her Royal Highness the Princess Royal will be visiting the Island over Tuesday, the 4th, and Wednesday, 5th November this year. During her visit, the Princess Royal will carry out the following engagements. First, she will unveil a portrait of Their Majesties King Charles III and Queen Camilla, commemorating their visit to Jersey last year. She will visit the Jersey branch of the Royal Air Forces Association, celebrating its 100th anniversary this year. She will visit and tour the newly refurbished Jersey Opera House, celebrating its 125th anniversary. As patron of the Durrell Wildlife Conservation Trust, recognising that in 2025 its founder, Gerald Durrell, would have been celebrating his 100th birthday, the Princess Royal will attend the Durrell Lecture, celebrating the Rewild Our World Strategy 2017-2025 at the Jersey Opera House.

1.2 Tribute to former Connétable of Trinity, Mr. Brian Richardson:

Members will have been saddened to hear that Mr. Brian Richardson, who served as Connétable of Trinity in the 1990s, passed away on 11th September, age 76. A former plumber, Mr. Richardson was a passionate supporter of the honorary system and was one of only a few people to have held multiple roles within the Parish, acting as Constable's Officer, Vingtenier, Centenier, and Procureur in Trinity before being elected as Connétable in July 1993. During his tenure, he was instrumental in overseeing major roadworks within the Parish. He served just one term in the Assembly, taking on a role in the Harbours and Airports Committee, and he retired from politics in 1996. He was married to Maureen, and was a much-loved father, stepfather, and our thoughts today are with his family at this time. I would like to ask Members to rise and give a minute's silence in his memory. **[Silence]** May he rest in peace.

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

Sir, may I just inform the Assembly that I have a medical appointment so I may miss a small portion of the Assembly while I attend that.

The Bailiff:

Thank you very much, Deputy.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2.1 Resignation of Deputy M.B. Andrews of St. Helier North from the Corporate Services Scrutiny Panel

The Bailiff:

Members, should be advised that in accordance with Standing Order 137(2)(b) I have received written notice from Deputy Andrews of St. Helier North indicating his wish to resign from the Corporate Services Scrutiny Panel.

QUESTIONS

3. Written Questions

2.1 Deputy D.J. Warr of St. Helier South of the Minister for Treasury and Resources regarding investments in social media or social networking platforms (WQ.312/2025):

Question

Will the Minister advise whether the investment strategies for any States funds include investments in any social media or social networking platforms (such as Facebook, LinkedIn, X or TikTok) or their parent companies and, if so, will she provide details of the value of the investment in each case?

Answer

The States Investment Strategy document [R.185/2024](#) includes the investment strategy for each individual States Fund. These strategies detail asset allocations to specific asset classes, such as equity.

Investment managers are then appointed to implement investment in that asset class based on their own specific investment thesis. There is no specific reference to social media or social networking platforms in the Investment Strategy, with the ‘buy’ and ‘sell’ decision effectively delegated to the individual Managers and overseen and monitored by the Treasury Advisory Panel.

The Common Investment Fund holds a diverse portfolio with over 400 stock lines, ‘Social Media’ is not a recognised sector which makes an exhaustive check difficult. We do, however, closely monitor individual stocks and of the social media stocks listed, as of the 31 July, we hold £2.6m in shares in Facebook (Meta), equating to around 0.1% of the overall equity portfolio. There are no holdings in LinkedIn, X or TikTok.

2.2 Deputy L.M.C. Doublet of St. Saviour of the Minister for Sustainable Economic Development regarding Government grants to large public events (WQ.313/2025):

Question

In respect of any Government grants to large public events, will the Minister provide a table detailing the total grant paid, and the criteria used for determining the value of those grants allocated, for the last 3 years for each of the following –

- (a) Battle of Flowers;
- (b) Channel Islands Pride;
- (c) Jersey International Air Display;
- (d) Jersey Festival of Words; and
- (e) any other similar sized events?

Answer

Government grants to large public events are assessed based on the business cases submitted to the Department for the Economy and informed by the post-event reports from previous years (where applicable). They are also dependent on the available budgets and funding capacity of the Department and the ability for the organisation seeking funding to demonstrate that the event supports desirable

Island outcomes from the CSP (Common Strategic Policy), Island Outcome Indicators and/or specific published government strategies.

Event	2023	2024	2025
Battle of Flowers	£150,000	£270,000	£158,750
CI Pride	£49,500	£10,000	£55,000
Jersey International Air Display	£60,000	£40,000	£100,000
Jersey Festival of Words	£63,000	£80,000	£80,000
Corn Riots Festival	£31,137	£33,882	£30,000
Lunar New Year	£49,474	£33,223	£20,000
Dreaming Trees	£22,000	£50,000	£40,000
13th Parish	£25,000	£25,000	£25,000

2.3 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the contract between the Government and DFDS (WQ.314/2025):

Question

In relation to the contract between the Government and DFDS, will the Minister –

- (a) state whether there is any requirement for DFDS to provide a frequent traveller or loyalty discount scheme and, if so, the date for its commencement; and
- (b) agree to publish the concession agreement between the Government and DFDS and, if he so agrees, advise a date for its publication and, if he does not so agree, advise why not?

Answer

- a) The Concession Agreement requires the Operator to develop a Residential Marketing Strategy which contains pricing frameworks that offer targeted discounts for residents of Jersey in order to make ferry travel more affordable and accessible for local residents. It also requires multi-trip ticket options that offer flat prices for frequent travellers. This has been evidenced by some of DFDS's daytrip promotions during Summer 2025.

DFDS is also developing a fuller frequent traveller scheme, and Officers are in continuing discussions with the Operator about the scheme's design. At the moment, there is no target date for the scheme to be launched, but Government has emphasised that it wishes to see this happen as soon as possible.

- b) Further to the provision of the full and unredacted Concession Agreement to the Economic and International Affairs Panel on 11th March 2025, the Deputy will be aware that I have agreed to publish a redacted version of the Concession Agreement in a recent letter to his Panel.

Commercial partners have a legitimate expectation of a requisite level of confidentiality which protects, or otherwise does not compromise, their own commercial integrity and so it is important that care is taken in publishing the Concession Agreement.

My officers are currently working to prepare a redacted version of the Concession Agreement which will be published in due course.

2.4 Deputy R.S. Kovacs of St. Saviour of the Minister for Housing regarding the properties listed in Maximum Rental Charges in Registered Lodging Houses (WQ.315/2025):

Question

For the properties listed in [Maximum Rental Charges in Registered Lodging Houses](#) (1st March 2025 to 28th February 2026), will the Minister state the numbers of each type of accommodation (such as studio bedsit, one-bed flat, two-bed flat) contained in each property listed?

Answer

The information required is in the appended document.

2.5 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding the States of Jersey Complaints Board hearing on 31st July 2025 (WQ. 316/2025):

Question

Further to the presentation of ‘States of Jersey Complaints Board: Findings – Complaint by Ms. X against the Minister for the Environment and the Infrastructure and Environment Department’ ([R.101/2025](#)), will the Minister explain his decision not to attend the Complaints Board hearing on 31st July 2025 and advise whether he stands by that decision?

Answer

With regard to not attending the Complaints Board hearing on 31st July 2025, this relates to a separate complaint and not ‘States of Jersey Complaints Board: Findings – Complaint by Ms. X against the Minister for the Environment and the Infrastructure and Environment Department’ ([R.101/2025](#)). As such, I will respond to the Complaints Board’s findings in due course.

With regard to the Complaints Board hearing on 1st May 2025 in relation to ‘Complaint by Ms. X against the Minister for the Environment and the Infrastructure and Environment Department’ ([R.101/2025](#)), it was my understanding that there were several problems experienced during the hearing, including: questioning outside the agreed scope, personal allegations against named officers during proceedings, lack of clear speaking protocols, issues with time management, and overly brief summarisation failing to capture key technical discussions.

This resulted in an imbalance of participation, and I believe compromises the fairness and structure of the hearing. This is not the first time these issues have been experienced at hearings.

My chief officer and other officers have raised these concerns directly with the States Greffier and I am told that they have had constructive conversations. I am committed to ensuring that the public has a fair and appropriate route to make complaints. My officers and I will continue to engage with the complaints process, and, if these concerns are resolved, I will agree for my officers to participate in future hearings.

2.6 Connétable K. Shenton-Stone of St. Martin of H.M. Attorney General regarding statutory contributions for ITIS and Social Security (WQ.317/2025):

Question

Will H.M. Attorney General advise what liability or recourse, if any, an employee has when a company in liquidation (their employer) has not paid the statutory contributions for ITIS and Social Security despite the relevant deductions having been made from the employee's pay as itemised on their payslip; and, in this instance, has the company committed an offence by withholding the monies?

Answer

It is the legal responsibility of the employer to pay to the Comptroller of Revenue the amount of ITIS and social security contributions deducted from an employee's wages.

These legal obligations are set out in Article 41BA of [the Income Tax \(Jersey\) Law 1961](#) (the "**1961 Law**") in relation to ITIS and Article 5 of [the Social Security \(Collection of Class 1 and Class 2 Contributions\) \(Jersey\) Order 2013](#) (the "**2013 Order**") with respect to social security contributions.

Employee's record

If an employer deducts an amount of ITIS from an employee's earnings but fails to pay the amount to the Comptroller, the employee is entitled to have the deduction treated as a payment of tax by the employee, unless the employee is unable to prove, to the satisfaction of the Comptroller, that the deduction was made. (Article 41BD(2) of the 1961 Law).

An equivalent protection is in place with regard to an employee's social security contributions. In accordance with Article 21(1) of the Social Security (Contributions) (Jersey) Order 1975 (the "**1975 Order**") where an employer has failed to pay social security contributions, the contribution shall be treated as paid on the due date. In order for this protection to apply the Minister must be satisfied that the failure in making payment was not with the consent or connivance of, or attributable to any negligence on the part of the employee.

In practice when circumstances arise where an employer has failed to pay the amount of ITIS and social security contributions deducted from an employee's wages, the employee will receive credits based on the Combined Employer Returns (the "**CER**") received. CER includes details of an employer's ITIS and social security. In cases where the employer has not filed a CER, the employee can provide the Comptroller with evidence, such as payslips, to demonstrate that wages have been paid and the deductions have been made, and the employee's records will be credited with an amount equivalent to the income tax and social security contributions deducted.

This ensures the employee's tax liability and contribution record is safeguarded, even in circumstances where the employer is in liquidation.

Offence and debt owed

An employer who fails to pay the Comptroller the amount of ITIS and social security contributions deducted from an employee's wages commits an offence and may face prosecution (Article 41BA(2) of the 1961 Law (ITIS) and Article 15 of the 2013 Order (social security contributions)).

Civil proceedings can be brought against an employer for the outstanding ITIS and contributions. The failure of an employer to pay the Comptroller creates a debt owed to the government.

Administration and compliance are conducted by Revenue Jersey and its debt management team can pursue the outstanding monies. If the debt cannot be recovered directly from the employer, a claim may be filed in the Petty Debts Court for the outstanding amount, or in the Royal Court where the sums owed are in excess of the Petty Debts Court's jurisdiction (currently £30,000). Where an employer has gone into liquidation and there are insufficient funds to meet the full liabilities, as set out above, the employee is entitled to receive credits to ensure their tax liability and contribution record is safeguarded.

2.7 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding the net increase in the number of both new and revised planning permits issued for the development of residential units (WQ.318/2025):

Question

Will the Minister state, for each of the last 5 years (including 2025 to date, if available), the net increase in the number of both new and revised planning permits issued for the development of residential units, and will he further advise how many of those planning permits have been progressed?

Answer

The net increase in new residential units granted permission in 2022-2025 is detailed below. The information is not held for 2021 and cannot be collated in the time available.

2022 = 289 granted permission

2023 = 615 granted permission

2024 = 307 granted permission

2025 = 41 granted permission (up to 12 September 2025), and a further 246 dwellings have been provisionally approved, subject to the finalisation of Planning Obligation Agreements.

In 2024, 871 new dwellings had a completion certificate issued under the Building Byelaws. The Department is currently designing reporting functionality for the newly introduced back-office system for Development and Land, and it was not possible to produce a reliable completion figure for 2025 in the time available.

2.8 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding an increase in grocery prices following the introduction of the DFDS freight contract (WQ.319/2025):

Question

Further to his correspondence of 1st September 2025 to the Economic and International Affairs Scrutiny Panel, in which he reported the Chief Economic Advisor "assessed an impact of approximately 0.4% increase to grocery prices" of the introduction of the DFDS freight contract, will the Minister –

- (a) set out any methodology to be used to test that projection against actual price changes following the commencement of the contract;

- (b) advise whether the Statistics Unit has been asked to publish, in conjunction with the next Retail Prices Index bulletin, a breakdown of any related changes in the price of –
- (i) average grocery basket prices;
 - (ii) construction materials;
 - (iii) medical supplies; and
 - (iv) fuel; and
- (c) explain what monitoring framework, if any, is in place to track freight operator costs, including any unexpected charges such as retrospective port dues, and if there is no monitoring framework in place, why not?

Answer

- a) The Economics Unit has assessed that the introduction of the DFDS freight contract will add approximately 0.4% to a shopping basket of goods, all else being equal.

This assessment used analysis from the JCRA Groceries Market Study showing that freight and distribution costs account for between 5% and 8% of the total price of goods. The Economics Unit is monitoring food prices in Jersey using the grocery price data collected by the Jersey Consumer Council. The Economics Unit also collects data on the prices charged in the UK for equivalent products (on a like for like basis) and is using both sets of data to monitor the difference in prices.

This monitoring began in early March prior to the commencement of the DFDS contract. This monitoring will identify whether or not the difference between prices charged in the UK and in Jersey has changed. However, it is not possible to specify a single cause for any such change as the difference in prices charged in Jersey compared to the UK could be caused by a wide range of factors.

Preliminary analysis points to c.60% of the cost of freight being represented by the costs applied by freight companies, c.35% being the lane metre cost applied by the ferry operator (including surcharges like BAF) and around 5% being port charges levied at Portsmouth and St Helier.

- b) The RPI data published by Statistics Jersey includes both headline measures of inflation (RPI, RPIX etc) and also the inflation by group. These groups include food, clothing and footwear, fuel etc. The goods and services in the inflation statistics reflect the spending patterns of Islanders and were updated in December 2024, based on data from the Living Costs and Household Income Survey (LCHIS).

Statistics Jersey have not been asked to collect or publish any additional price data.

- c) The Ferry Services Monitoring Committee tracks compliance with a range of contractual obligations including the mechanism for pricing of freight. In earlier correspondence to the Economic & International Affairs Scrutiny Panel I have also set out general expectations around timeliness of communication between the ferry operator and its customers.

2.9 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Infrastructure regarding the resilience of Jersey's fuel storage arrangements (WQ.320/2025):

Question

Further to the recent report [Critical Infrastructure Resilience – Transport Links](#), published by the Comptroller and Auditor General, will the Minister advise –

- (a) what assessment, if any, has been undertaken to assess the resilience of Jersey's fuel storage arrangements;
- (b) what options appraisals, if any, have been conducted to compare the incumbent operator's proposals with those of alternative providers;
- (c) whether any such assessment considered security of supply, competition, cost-effectiveness, and the accommodation of future fuels compatible with net-zero policy and if not, why not; and
- (d) whether the outcomes of such assessments will be published prior to any decision on the renewal of the La Collette fuel farm lease?

Answer

- (a) (b) and (c)

Options appraisals were undertaken encompassing various economic and policy considerations, including the resilience of Jersey's fuel storage arrangements and those referenced in part (c). Several of these considerations are explained in the [Comment](#) presented in response to Deputy Ozouf's (withdrawn) amendment to P.11/2025. This work assessed that Jersey's current fuel storage arrangements provide stability and resilience of supply, and thus continuing with the current operating arrangements was deemed to be in the best interests of the island.

- (d)

As was confirmed in the States Assembly on 13th May 2025, the in-principle decision has been taken to issue a new 15-year lease to the current operator. Further to the adoption of P.11/2025, an evidence-based energy strategy is being developed and will be published by the end of 2026. This will identify the longer-term options which may lead to different fuel storage arrangements. As stated, the energy strategy will be a public document. There are no plans at present to publish any further documents.

2.10 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding data on crimes motivated by hatred (WQ.321/2025):

Question

Further to the response to [Oral Question 216/2024](#), will the Minister provide an update on discussions with the States of Jersey Police regarding any interim actions which can be introduced in relation to the recording of data on crimes motivated by hatred, pending updates to the Draft Crime (Prejudice and Public Disorder) (Jersey) Law?

Answer

I am pleased to confirm that the States of Jersey Police (SoJP) already routinely record where a crime is motivated by prejudice on the basis of a protected characteristic, even in the absence of a dedicated hate crime law.

Additionally, where an incident is reported that does *not* meet the threshold of being a crime, SoJP create a record of the incident (an iLog) and will record if it is motivated by prejudice.

I would refer the Deputy to the answer to her previous Written Question, [WQ-309-2024](#) for further details on how this process works in practice.

These flags are then visible to Crime Management, Supervisors, and most importantly, to the Victims First team who can offer support.

Importantly, information recorded about prejudice experienced by victims is based on the victim's perception rather than the perception of the officer. This ensures that any perceived prejudice is captured and flagged appropriately.

I hope the Deputy, and the communities affected by this behaviour, may take some reassurance that SoJP record and respond to incidents where any form of hate or prejudice is reported, whether or not they are captured as crimes within our existing legislation.

2.11 Deputy L.M.C. Doublet of St. Saviour of the Minister for Social Security regarding Equality Impact Assessments (WQ.322/2025):

Question

Will the Minister advise whether an Equality Impact Assessment (EIA), which is used to ensure that policies, strategies and decisions are fair and do not disadvantage any particular group, has been written for the Jersey public sector and if it has not, explain why, and if an EIA has been written –

- (a) will she commit to publishing the EIA publicly; and
- (b) will she advise whether this document is being used by policy officers and how the impact of that use is being measured; and, if not, why not?

Answer

The UK Equality Act provides for a Public Sector Equality Duty, which can be evidenced by the production of an Equality Impact Assessment. There is no statutory requirement in the UK Equality Act to produce an Equality Impact Assessment and there is no equivalent to the UK Equality Act in Jersey law.

The Government of Jersey takes account of the provisions of Jersey discrimination legislation when considering the impact the development of any policy might have on individual groups or people.

2.12 Deputy I. Gardiner of St. Helier North of the Minister for Social Security regarding medical certificates (WQ.323/2025):

Question

Will the Minister advise the number of medical certificates submitted to her department for each of the last 5 years, and will she further provide a breakdown between certificates submitted for a single absence, and those that are ‘repeat’ certificates?

Answer

As the question refers to single absences and repeat certificates, the data produced below provides information on certificates submitted in respect of Short-Term Incapacity Allowance claims. It includes claims that were started in 2019 and continued into 2020.

	Single	Multiple	
Year Submitted		First Certificate Scanned	Subsequent Certificate
2020	20,400	5,783	12,187
2021	21,225	5,668	11,808
2022	26,170	5,330	10,450
2023	21,400	5,900	11,526
2024	21,820	6,382	12,640

Medical certificates are also submitted to the Employment, Social Security and Housing Department in respect of legacy Invalidity claims on a 13-week cycle. The number of certificates submitted for each of the last five years is set out in the table below.

Year Submitted	No of certificates
2020	1,636
2021	1,587
2022	1,444
2023	1,291
2024	1,154

2.13 Deputy R.S. Kovacs of St. Saviour of the Comité des Connétables regarding non-occupied, derelict or dilapidated residential properties (WQ.324/2025):

Question

In relation to non-occupied derelict or dilapidated residential properties, will the Chair –

- (a) detail the basis on which Parish Rates are levied on these properties;
- (b) state the number of such properties in each Parish;
- (c) advise the length of time each property has been known to be in a poor state; and

- (d) outline the efforts, if any, made by each Parish to enable these properties to be returned to a habitable state?

Answer

The Parishes do not collect information about whether or not a property is occupied. Under the Rates (Jersey) Law 2005, all property has an “occupier” as the definition of occupier, in relation to land, “means

the person entitled to occupy and use the land by virtue of being –

(a) the owner of the land; or

(b) the person to whom the land is let under a lease or tenancy agreement,

other than a person who is a landlord (whether or not immediate) of the occupier of the land.”

Every owner is required to make an annual return of the property they own in a parish but this will not necessarily describe the property as “derelict or dilapidated”.

(a) Response

Parish rates are levied on all property in accordance with the rateable value assessed. The rateable value is based on the attributes of the property. The term “attributes” is defined as, “in respect of land, means the size, location, accommodation, condition and use of the land and the quality of any house, building or other structure in, on, under or over the land.”

(b) Response

For the reasons outlined above, the number of derelict or dilapidated residential properties in each parish is not known.

(c) Response

The length of time properties have been in a poor state is not known.

(d) Response

Any properties in derelict or dilapidated state are privately owned and therefore not under the remit of the Parishes to renovate

2.14 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding unauthorised absence of pupils from school (WQ.325/2025):

Question

With regard to the unauthorised absence of pupils from school for every year group, will the Minister state for each year from 2022 to 2024 inclusive –

- (a) the number of absent days and provide a comparison to 2019 data;
- (b) the gender breakdown; and
- (c) the total cost to CYPES (Children, Young People, Education and Skills) for non-attendance in each year?

Answer

- (a) The table below presents the number of pupil absence days recorded as unauthorised across Government schools (Reception to Year 11). The data is reported by academic year, rather

than calendar year. In each academic year the cohort size exceeded 10,000 pupils. Unauthorised absences include:

- Holidays not approved by the school
- Late arrivals
- Absences without a provided reason
- Absences where the reason was deemed unsatisfactory by the school

It's important to recognise that direct comparisons with pre-Covid attendance figures must be viewed in the context of substantial shifts in the national attendance landscape. Since the Covid-19 pandemic, improving attendance has been a priority for the department. We have a dedicated Central Educational Welfare Team who support all primary schools and the fee-paying Government of Jersey schools, while other schools employ school specific Educational Welfare Officers. We have also invested in data quality resource and as a result, we are now able to report with greater confidence in the accuracy and reliability of attendance data from 2021 onwards. There was no central oversight of data quality prior to 2021, and we can therefore not be confident in the earlier data. As such, comparisons between years should be treated with caution. Days have been independently rounded to the nearest whole number.

Academic Year	2018/2019	2022/2023	2023/2024	2024/2025
Year 0	1345	1441	1634	1935
Year 1	1159	1683	1739.5	1699
Year 2	1365	1680	1713	2098
Year 3	1213	1655	1982	2132
Year 4	1030	1495	1623	2091
Year 5	1204	1670	1867	2211
Year 6	982	1724	1995	2032
Year 7	871	2290	2887	3408
Year 8	1163	3657	4132	5098
Year 9	1398	4723	5487	5286
Year 10	3433	4702	6403	6301
Year 11	4931	5091	5181.5	6440
Total days	20092	31809	36642	40728
Total days available	1,972,404	1,943,328	1,942,026	1,960,875
% of unauthorised absences	1.0%	1.6%	1.9%	2.1%

(b) The table below shows the same information provided above, by gender. Days have been independently rounded to the nearest whole number.

Academic Year	Females	Males	Total days
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2018/2019	8804	11288	20092
2022/2023	16095	15714	31809
2023/2024	17684	18958	36642
2024/2025	19881	20847	40728

The cost of unauthorised absences described above are difficult to measure. All pupil absence is monitored by schools, and as part of their normal practice, teachers and teaching assistants will work with children and their families to identify and rectify gaps in pupil learning created as a result of missed lessons. Similarly, where a particular pattern of absence is identified, Educational Welfare colleagues will work with pupils and their families, to support children in attending school so that they can access their learning and thrive in their educational setting.

2.15 Deputy K.M. Wilson of St. Clement of the Minister for Children and Families regarding the redevelopment of Le Squez Youth Centre (WQ. 326/2025):

Question

Further to [Written Question 248/2025](#), regarding the redevelopment of the Le Squez Youth Centre, will the Minister provide an update on the –

- (a) timeline for the completion of the design phase;
- (b) timeline for the completion of the full business case;
- (c) current estimated cost of the scheme;
- (d) procurement timetable;
- (e) construction timetable; and

will he further confirm whether this development has been considered and incorporated into budget planning for 2026/2027, and if not, why not?

Answer

Following on from my response to (WQ.248/2025) on the 3rd of June 2025, there has been very little progress with this capital project. I remain committed to supporting Le Squez Youth Centre and once we receive funds, we will progress the project at pace with the design work and will consult with relevant stakeholders such as the Youth Project Committee and also the children and young people that use the facilities at Le Squez Youth Centre.

Timeline for the completion of the design phase.

During 2025, funds have not yet been available to undertake further feasibility and building design work and due to this I am unable to provide a timeline for the completion of any design phase. There is a cost to feasibility and building design work, whether that is undertaken by Jersey Property Holdings design team or if an external Architect is appointed.

Timeline for the completion of the full business case.

My officers have completed an initial business case, which was submitted in May of this year as part of the capital programme process. This is reflected in the 2026 to 2029 proposed budget.

Current estimated cost of the scheme.

The current estimated costs are within the proposed 2026 to 2029 budget, which is due to be debated later this year, there is an estimate of £4.5M for 2028 and £2.997M for 2029. These are estimated figures to enable the funding for further feasibility studies, building design and submitting a planning application.

Procurement timetable.

With any capital project there is a sequence of events to be undertaken and until further feasibility study and building design work has been undertaken and we have a confirmed cost of the project, with full funding available i am currently unable to provide a procurement timetable.

Construction timetable; and will he further confirm whether this development has been considered and incorporated into budget planning for 2026/2027, and if not, why not?

As I have highlighted above, the proposed 2026 to 2029 budget, due to be debated later this year, has an estimate of £4.5M for 2028 and £2.997M for 2029. Work would not be able to progress until the funds are available, so it is estimated that building works would take place during 2028 and 2029.

2.16 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding the end of the importation and registration of petrol and diesel vehicles from 2030 (WQ.327/2025):**Question**

Further to the [Carbon Neutral Roadmap Progress Report](#), published in July 2025, stating that the end of the importation and registration of petrol and diesel vehicles from 2030 (Policy TR5) is on track, will the Minister advise –

- (a) whether he assesses this timeline to be appropriate and, if so, explain his reasons;
- (b) what impact, if any, he anticipates the ban might have on middle- and lower- income households, and is there a risk that it could prevent such households from being able to replace their existing vehicles; and
- (c) whether a cost comparison between electric, diesel, and petrol vehicles has been, or is to be, undertaken and, if so, will he provide details of the outcome identifying any ramifications which he considers might affect middle- and lower- income households to afford the transition?

Answer

- (a) In 2022, the States Assembly agreed the Carbon Neutral Roadmap, including policy TR5 to: ‘End the importation and registration of petrol and diesel vehicles that are new to the Island from 2030.’ The priority in bringing forward the petrol and diesel vehicle phase-out, is to

provide early clarity for motor traders and motorists ahead of the first stage, which will take effect from 2030. A public consultation will be held in the coming months to ensure Islanders can help shape the final policy position.

This timeline is appropriate to support preparations for Jersey's phase-out, in line with the changes that will also come in across the UK in 2030. Emissions from petrol and diesel cars produce 25% of Jersey's annual greenhouse gas emissions; it is essential that we take steps now to secure the phase-out of these vehicles by 2050.

- (b) The Carbon Neutral Roadmap commits to a Just Transition, where the costs of the transition do not disproportionately fall on people on lower incomes, and net zero policies do not overall increase income inequality. As part of the transition to net zero, developing the Island's sustainable transport infrastructure and services goes hand in hand with decarbonising the Island's vehicle fleet, to increase choice, improve health and reduce costs. Instead of purchasing a private vehicle, some Islanders may choose to make increased use of public transport and active modes of travel, as well as taking advantage of shared mobility options through car club membership and on-demand hire services.

Our expectation is that from 2030 Islanders from low and middle-income households will still be able to purchase new and used cars to suit their budget and lifestyle.

Almost all vehicles registered in Jersey originate from the UK. From 2030, new petrol and diesel cars will no longer be sold in the UK.¹ Industry is already preparing for this change, with new vehicles being developed in readiness for this transition. Manufacturers will need to ensure that they continue to offer a wide range of vehicles to motorists from all segments of the market. The lower running and maintenance costs of electric and hybrid vehicles, compared to petrol and diesel alternatives, will be a key consideration for motorists when making purchasing decisions.

From 2030, no one in Jersey who owns a petrol or diesel vehicle will be required to give it up. There will be no restrictions on the resale of vehicles that are already in Jersey. One of the most sustainable behaviours for motorists is to continue to use a vehicle until the end of its working life.

Ahead of Jersey's 2030 phase-out, we are working to mature the local used electric vehicle (EV) market, to reduce financial barriers to EV ownership. 81% of the EVs bought through the Electric Vehicle Purchase Incentive (EVPI), which closed in December 2024, were used vehicles. As these vehicles are bought and sold in the coming years, alongside others added to the Island's fleet, the number of older and cheaper EVs will increase. Annual increases to vehicle emissions duty (VED) are already working to encourage Islanders to select zero and lower emissions vehicles, with higher charges in place for more polluting vehicles.

- (c) From 2030, the intention is that Islanders purchasing a car which has been newly imported to Jersey, will need to choose between a full EV or a hybrid electric vehicle. Examination of the relative cost of all types of new and used vehicles may be undertaken closer to 2030 to understand how the market has evolved ahead of the phase-out. This analysis will include the running and maintenance costs of vehicles, as well as the purchase price. Analysis of this sort at the present time would be premature and unlikely to reliably inform policy decisions for

¹ [Phasing out sales of new petrol and diesel cars from 2030 and supporting the ZEV transition - GOV.UK](#)

implementation in 2030 and beyond. Economic analysis will form part of the policy development process for the 2030 phase-out and contribute to the consideration of the just-transition.

2.17 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding investigations into pre-sale agreements (WQ.328/2025):

Question

Will the Chief Minister advise whether, further to the lodging of [P.61/2025](#) (Statutory Pre-Sale Agreements for Standard Residential Property Transactions), he has requested any investigation into pre-sale agreements or the effect of gazumping on the housing market, or will be considering any such investigation, and if not, why not?

Answer

In June this year the States Assembly rejected P.34/2025, which requested consultation and a report on pre-sale agreements for land and property transactions.

The Housing Minister has held a meeting with Deputy Andrews to discuss P.61/2025 and, as a result, an amendment will be lodged by the Council of Ministers to propose a consultation on the broader property transaction process.

There has been no request for an investigation into pre-sale agreements or the effect of gazumping on the housing market, but these issues will be addressed in the consultation.

2.18 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding the GST business registration threshold (WQ.329/2025):

Question

Will the Minister state when the GST business registration threshold (currently £300,000) was last reviewed and advise whether a review is currently underway or is being considered; and if so, will she indicate when the outcome of that review will be available?

Answer

The GST registration threshold was introduced in 2008. At that time, the decision was taken to introduce the threshold at a purposefully high level so that it did not need to be habitually increased.

The £300,000 figure remains exceptionally high by international standards. For example, the VAT registration threshold is £90,000 in the UK. Research suggests that only Singapore has a higher threshold, but its tax rate of 9% is also higher.

Many businesses find it advantageous to be voluntarily registered, not least because it means they can reclaim the GST they pay on purchases, and it enables quicker transits via Customs for their imports.

The Minister considers the full range of options available each year for the Budget. The case for increasing the GST registration threshold was specifically considered earlier in 2025.

Although not a formal review, the Minister concluded that the threshold is set at an appropriate level, which helps keep the rate at 5% and ensures the GST regime aligns with the published tax policy principles of low, broad and simple.

On that basis, there are no current plans to further review the figure.

2.19 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the Alcohol Hospitalisation in Jersey data (WQ.331/2025):

Question

Further to the publication of the Public Health Intelligence [Jersey Alcohol Profile 2024 - Revised edition](#) report, will the Minister provide the “Alcohol Hospitalisation in Jersey” data and figures for 2024?

Answer

The methodology for calculating alcohol related hospital admissions requires coded clinical data. Given our limited resources less than half of the hospital admissions for 2024 have been coded by the clinical coding team, consequently it is not possible to calculate an accurate and representative statistic for 2024 data at this time. I will however commit to providing this data at the earliest possible opportunity.

2.20 Deputy R.S. Kovacs of St. Saviour of the Minister for Justice and Home Affairs regarding funding of development and redevelopment plans of the States of Jersey Prison Service Annual Report 2024 (WQ.332/2025):

Question

Will the Minister advise how the following development phases included within Section 4.2 *Development and redevelopment plan* of the States of Jersey Prison Service Annual Report 2024 ([R.123/2025](#)) are intended to be funded and over what period works will be carried out –

- (a) Phase 7 – Care and separation unit (£7.9m);
- (b) Phase 8 – New Education and workshops (£18.4m);
- (c) Phase 9 – New healthcare facility (£4.5m); and
- (d) Phase 10 – Replacement security fencing (no estimate)?

Answer

The development phases outlined in Section 4.2 of the *States of Jersey Prison Service Annual Report 2024 (R.123/2025)* are currently included within the long-term capital planning for the Prison Service. The intention is to apply for funding through the Government of Jersey Capital Programme, in line with the Investing in Jersey 2026–2050 strategy. No funding has been agreed to date, and all proposals remain subject to approval through the annual Budget (Government Plan) process.

2.21 Deputy J. Renouf of St. Brelade of the Minister for Treasury and Resources regarding statistics relating to staff sickness (WQ.333/2025):

Question

Will the Minister publish monthly statistics for days lost to sickness by staff in each of the States Owned Entities for each of the last 3 years?

Answer

The monthly statistics are set out in the attachment, reflecting the data collected and provided by each entity. In publishing this information, I would strongly caution against making comparisons between the States Owned Entities as they are of differing sizes and because data can be skewed by factors such as a small number of employees with prolonged periods of absence, differing employee demographics and some having more manual workers than others.

Jersey Electricity

Jersey Electricity have upgraded their HR systems recently and the level of data requested has yet to be migrated as it is considered historic data and as such would not be available within the given time frame to answer this question in full. A snapshot of overall figures per annum is provided in the attachment.

2.22 Deputy I. Gardiner of St. Helier North of the Minister for Housing regarding the Affordable Housing Report (WQ.334/2025):

Question

Further to the publication of the [Affordable Housing Report](#), will the Minister advise –

- (a) the number of people currently awaiting housing in Band 1, and how many are –
 - (i) families with children;
 - (ii) single parents;
- (b) the average length of time that each household, on each band, is currently waiting, from application to securing accommodation;
- (c) the total number of cases in the last 12 months that have involved households being directed by the Government to hotels or lodging houses;
- (d) what capacity Andium has to accommodate the total amount of people on the Gateway, and how this capacity is assessed;
- (e) what performance targets, if any, he has for Andium Homes, or the Gateway system as a whole, in relation to reducing waiting times, and if these exist, will he commit to publishing them;
- (f) whether there is consideration being given to homelessness legislation to provide statutory duties similar to those in the UK, due to the high demand in Band 1; and
- (g) what measures the Housing Advice Service are undertaking to ensure their processes for accessing the Gateway are trauma-informed and do not place additional stress on families in acute housing crisis?

Answer

- (a) (i) As of 16/09, there are 56 families with children in Band 1.

(ii) Of these 56 families, 37 are single parent households.

- (b) The figures below present average waiting times for households in each band of the Affordable Housing Gateway. However, the figures do not represent the actual length of time that each household will be waiting for a home. Applicants have unique housing needs, and not all properties that become available will be suitable to all. This is because of factors such as the property's accessibility, location and other social and welfare considerations (e.g., adaptations or proximity to support services). This means that some applicants may wait longer, whilst others may be housed more quickly.

Average waiting time (years) for active applications

Band	Bedroom size requested						Grand Total
	0	1	2	3	4	5	
Band 1	0.4	0.3	0.3	1.2		1.4	0.4
Band 2	1.8	1.8	1.0	1.3	3.5		1.8
Band 3	2.6	2.7	0.9	1.4		5.8	2.3
Band 6		0.4	1.0	0.0			0.5
Grand Total	1.3	1.4	0.7	1.3	3.5	3.6	1.4

Social Housing Transfer applications

Average waiting time (years) for active applications

Band	Bedroom size requested						Grand Total
	0	1	2	3	4	5	
Band 1	0.7	0.5	1.4	2.9	0.9	1.4	1.0
Band 2	0.8	2.0	1.2	1.3	3.1	0.0	1.8
Band 3	6.3	0.0	0.0	1.4		0.0	2.2
Band 6		1.2	1.8	0.0			1.5
Grand Total	1.7	1.5	1.3	1.5	2.3	1.4	1.6

Rental Average waiting time (years) for those housed within the last 5 years

Band	Bedroom size requested						Grand Total
	0	1	2	3	4	5	
Band 1	2.5	2.9	2.9	3.1	3.2	4.4	2.9
Band 2	2.5	3.4	3.0	4.3			3.3
Band 3	3.6	4.2	3.6	4.3			3.8
Band 6	3.7	3.1	3.4	4.6			3.2
Grand Total	2.6	3.1	3.0	3.4	3.2	4.4	3.0

Social Housing Average waiting time (years) for those transferred within the last 5 years

Band	Bedroom size requested						Grand Total
	0	1	2	3	4	5	
Band 1	3.7	3.5	3.2	3.2	5.1	5.7	3.4
Band 2	3.2	3.7	2.9	4.2	4.4		3.5
Band 3		12.8	2.0	4.3			9.0
Band 6		5.8	2.8				5.1
Grand Total	3.6	3.8	3.0	3.6	4.9	5.7	3.5

- (c) The Housing Advice Service (HAS) is currently supporting 15 individuals in hotel placements, each with a tailored programme aimed at securing sustainable long-term accommodation. Due to the dynamic nature of the needs of Islanders supported by the HAS, there is not a rolling tally of those housed in temporary accommodation over the past 12-months. Instead, the data held is based on current need, which shifts frequently. The HAS contributes data to the [Homelessness in Jersey](#) report (Q1, 2025), which provides quarterly statistics on service engagement and the support provided.
- (d) Andium Homes has already delivered 1,436 new homes and has a further 698 new homes in construction or about to commence, including 3- and 4- bedroom family homes for rent and purchase on Bridging Island Plan sites in St John, St Peter and St Saviour. This delivery pipeline is updated monthly in the [Affordable Housing Report](#). Andium Homes also sees a regular turnover of its existing stock, generating circa 300 new tenancy opportunities for Gateway applicants each year.

Le Grand Douet (former Mayfair Hotel), a development of 201 new 1-, 2- and 3-bedroom apartments, has just been completed, providing opportunities for some Gateway applicants to be made offers within weeks of applying to the Gateway. Indeed, all current private sector Gateway applicants requiring 3-person, 2-bedroom homes, will have been given the opportunity of a new home at Le Grand Douet in the past two weeks.

Andium also manages the Partnership Pathway, referred to in the [Affordable Housing Report](#). The Pathway supports our most vulnerable Islanders, those in crisis, or those who may not meet the standard Gateway criteria, in accessing social housing with appropriate support packages in place from a wide range of partner agencies. The numbers of applicants on the Partnership Pathway are included in the Band 1 Gateway statistics.

I have every confidence that, other than for small numbers of very large family homes, there is enough supply. Indeed, this supply has led to a number of policy changes which have widened access to the Gateway, allowing more Islanders to enjoy the benefits of a tenancy with Andium. Andium's continued delivery of new homes provides opportunities for further widening of access to social housing in the future.

- (e) Andium Homes maintains performance targets for both relet times and the number of vacant properties, which are actively monitored and currently within target. Further details on these key performance indicators are available in Andium's [Annual Report](#) (2024).

The Affordable Housing Gateway does not set performance targets for reducing applicant waiting times. This is due to the inherently variable nature of housing demand and supply. Applicants have diverse and often complex housing needs, including household composition, accessibility needs, location preferences, and social or welfare considerations, which means that not all available properties are suitable for every household.

Additionally, the availability of appropriate housing stock is influenced by factors beyond the Gateway's control, such as turnover rates and development timelines. Setting rigid time-based targets risks oversimplifying these challenges and does not reflect the reality of matching applicants with suitable accommodation.

Instead, the Affordable Housing Gateway is focused on enhancing processes and prioritising applicants based on assessed need to ensure fair and effective access to social housing. More broadly, I am continuing to work closely with Andium Homes to secure the pipeline of housing developments referenced in response to (b).

- (f) The [Jersey Homelessness Strategy](#) proposes establishing a legal definition of homelessness and creating a statutory basis for related services and duties. A [definition of homelessness](#) was developed in 2022 with the Homelessness Cluster, which informs policy and service delivery.

I support statutory provision not simply due to demand on the Gateway, but because coordinated advice, support, and pathways are essential for those who are homeless or at risk of homelessness. In order to get to a position where we can pass effective and purposeful legislation, my priority is to improve the scope and resourcing of the HAS, and to develop appropriate pathways, accommodation and support arrangements with other agencies.

Whilst the UK has legislated in response to rising homelessness, other countries recognised as leaders in prevention, such as Denmark and Finland, have adopted alternative approaches and housing models without relying on legal mechanisms. This contrast highlights the potential for legislation in Jersey to strengthen access to housing and support but also underscores the need to carefully consider its purpose, scope, and the resources required for effective implementation.

ESSH offer trauma-informed training to all colleagues and work within multiagency settings in a holistic and respectful way. ESSH also have an internal Safeguarding pathway to ensure that all customers whom we are concerned about have their needs met.

2.23 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding the processing of general waste (WQ. 335/2025):

Question

Regarding the processing of general waste, will the Minister state –

- (a) the total percentage Jersey is currently recycling;
- (b) what barriers, if any, have been identified that prevent or slow an increase in recycling; and
- (c) what plans, if any, does his department have to address any identified barriers?

Answer

(a) Jersey's Municipal recycling rate (general waste) has remained stable at just over 30% in recent years. This covers all waste material separated at source and taken to the appropriate facilities on Island for onward recycling.

Municipal Recycling Rate				
	2022	2023	2024	2025 (to end June)
Jersey	35%	35%	33%	35%

2024 recycling figures by waste type:

Waste Type Sent for Recycling	Weight in Metric Tonnes
<i>Paper</i>	<i>1,274</i>
<i>Cardboard</i>	<i>3,070</i>
<i>Plastic bottles</i>	<i>144</i>
<i>Plastic (agricultural crop cover)</i>	<i>235</i>
<i>Small mixed waste electricals (WEEE)</i>	<i>401</i>
<i>Visual Display Equipment</i>	<i>150</i>
<i>Cooling appliances</i>	<i>275</i>
<i>Batteries</i>	<i>149</i>
<i>Light bulbs</i>	<i>9</i>
<i>Glass</i>	<i>5,094</i>
<i>Green waste</i>	<i>11,472</i>
<i>Plasterboard</i>	<i>2,117</i>
<i>Gas cylinders</i>	<i>24</i>

<i>Waste metal</i>	<i>13,198</i>
Total	37,612

(b) Use of available services is dependent upon public willingness to use them, with no requirement on collection authorities to provide any specific level of service. The Jersey Opinions and Lifestyle Survey (2017) identified access to recycling services and space to separate and store materials at home as barriers. The department is aware that there is a lack of awareness amongst the public about what happens to recyclable materials once collected and a perception of complexity around the different Parish schemes, with 3 of the 12 Parishes still not having a kerbside recycling scheme in place for householders to access.

(c) The Department is working to improve public awareness of what happens to the items householders separate for recycling to dispel the myth that it is all incinerated. An annual budget allocation of £39,000 is used to promote individual schemes and new initiatives in respective Parish magazines and also provide support for signage to ensure consistent messaging. The Solid Waste Strategy is in the process of being updated and will highlight areas of work required to increase levels of participation by householders and engagement with collection authorities. There is a potential to increase the island's recycling rate to above 45% if all parish householders had access to kerbside recycling. The strategy will also identify frameworks and possible legislative requirements to increase the segregation of waste streams to increase recycling. A structure for engagement and information for the public and businesses will also be a key area to build on the work currently undertaken by the department and through the Eco Active scheme.

As I stated in response to WQ.20/2025, I visited Guernsey in January of this year to see the good work that they have done in this area, and I am open to adopting some of the practices implemented in Guernsey which have significantly increased their recycling rate. Equally, we need to understand and retain the advantages of our current system, and accordingly any changes would only be undertaken and implemented in Jersey following extensive public engagement and consultation.

2.24 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Sustainable Economic Development regarding the SEE (Social, Environmental and Economic) Enterprise Pathway Pilot (WQ.226/2025):

Question

Will the Minister provide an update on the SEE (Social, Environmental and Economic) Enterprise Pathway pilot referred to in [Oral Question 178/2024](#), including details on –

- (a) which enterprises received grants;
- (b) the amounts awarded and objectives set;
- (c) whether the pilot has been considered a success and what lessons, if any, have been learned; and

will the Minister further confirm whether the SEE Enterprise Pathway will continue as an ongoing scheme and what further work, if any, has been undertaken to support social enterprises?

Answer

- (a) No enterprises received grants as no grants were given to individual enterprises.

- (b) Enterprises selected to go onto the SEE Enterprise Pathway were given access to training and workshops on topics deemed suitable for social enterprise businesses (those with a trading arm and with a social, environmental and/or economic purpose) provided by the School of Social Entrepreneurs and by local experts.

An in-depth report is being prepared for publication in early November. The report will detail learnings from the pilot pathway, including feedback from the selected enterprises and the wider SEE community and draw on extensive research into the state of social enterprises globally to produce a set of recommendations. One of the themes of the report will be the nature of the support provided to the selected enterprises and whether this matched the expectations and desires of the enterprises. I will assess the report's findings in due course to determine whether the SEE Enterprise Pathway pilot continues in its current form

2.25 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Chief Minister regarding Wills and Successions Laws (WQ.337/2025):

Question

Further to his answer to a question during [Questions Without Notice on 13th May 2025](#), regarding Wills and Successions Laws, in which he stated he would like to speak to the Legislation Advisory Panel regarding a review of inheritance legislation, will the Chief Minister advise whether any discussions have taken place, and if so, the outcomes, and if not, why not?

Answer

The Legislation Advisory Panel (LAP) has considered the wills and succession legislation on several occasions, including discussing the inheritance rights of unmarried couples further to Questions Without Notice on 13th May.

In addition to promoting the importance of wills, LAP was of the opinion that there was merit in amending legislation to provide judicial discretion in future where a person dies intestate. This is an option available to the courts in Scotland and it would provide an avenue for unmarried partners to make a claim on an estate.

This LAP was mindful of the complexity of prescribing for each of the many different kinds of relationships in Law. The Panel will continue to consider this sensitive matter and provide advice, including options to amend legislation.

2.26 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding non-resident business licences (WQ.338/2025):

Question

In relation to non-resident business licences, will the Chief Minister advise –

- (a) the number issued per annum over the last five years, to include details of the number issued to firms employed to complete work solely on behalf of the Government; and
- (b) whether an impact assessment has been carried out to determine what impact, if any, the granting of these licences has had on the closure of local construction firms, and if not, will he explain why?

Answer

Non-resident undertaking licences are required for businesses from outside Jersey that come to the Island to fulfil short-term contracts for local business or individuals.

The following have been issued:

2021: 204

2022: 249

2023: 387

2024: 218

2025: 178

Total: 1,272

In the time available, 2024 data has been analysed, and of the 218 total licences issued, 13 were for Government contracts. Only one of these contracts related to construction activity (specialist engineering consultancy).

Part (b)

It has not been deemed necessary to carry out impact assessments in relation to the granting of licences as they are issued to provide specialist activities or skills where contractors are not available locally.

2.27 Deputy M.B. Andrews of St. Helier North of the Minister for Education and Lifelong Learning regarding the Skills Development Fund (WQ.339/2025):

Question

Further to his response to [Oral Question 79/2025](#), will the Minister advise the number of Islanders who have received funding through the Skills Development Fund since its launch, and whether it is considered that the fund provides sufficient investment for Islander's skills development to mitigate any labour market displacement due to automation and artificial intelligence?

Answer

Approximately 2,060 Islanders have accessed upskilling courses through the Skills Development Scheme since its launch.

The Skills Development Scheme was reviewed in January 2025, with a recommendation to prioritise funding towards identified skills gaps and commission targeted training through public tender. Following a robust process the 2025 priorities include:

- Childminder qualifications
- Roofing, solar panel and PV installation
- Low-carbon heating design and installation
- Health Care Assistant training
- Historic property maintenance

- Scaffolding
- Specialist culinary skills
- Data analysis

The 2026 priorities remain subject to change, but is expected to include:

- Electric car battery dismantling and handling
- Wall and loft insulation
- Business accounting, management and leadership
- Advanced fire detection and alarm qualifications

A full review of the Skills Development Fund including its impact and process is scheduled for 2027. This review will provide an assessment of sufficiency regarding funding and timeliness of training to support the labour market.

2.28 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding Government expenditure on the new hospital/healthcare facilities (WQ.340/2025):

Question

Further to the response to [Written Question 1/2024](#), regarding the Government expenditure on the new hospital / healthcare facilities up to the end of 2023, will the Minister advise the total additional expenditure on this project since that date?

Answer

Further to Written Question 1/2024, I can confirm that the total expenditure for the period 1 January to 31 December 2024 is set out in the table below.

Initiative	Year	Expenditure (£m)	Notes
New Healthcare Facilities Programme	2024	20.158	As published on page 62 of the States of Jersey Group 2024 Annual Report and Accounts.pdf

The accounts for 2025 are part year and unaudited. 2025 expenditure can be provided once audited.

2.29 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Education and Lifelong Learning regarding Jersey Premium funding (WQ.341/2025):

Question

Further to his response to [Written Question 147/2025](#), will the Minister advise the number of primary and secondary school children currently in receipt of Jersey Premium funding broken down by school?

Answer

Jersey Premium data for the 2025/26 academic year is not yet available, as Jersey Premium eligibility cannot be processed until after the September census has been finalised. Funding is allocated in January each year, therefore the numbers will be available in the spring term.

2.30 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Education and Lifelong Learning regarding nursery capacity (WQ.342/2025):

Question

In relation to nursery places at States funded schools, will the Minister advise the maximum capacity and number of children enrolled at each school nursery as of September 2025?

Answer

The pupil numbers below are taken from the autumn pupil census 2025/26:

School	Pupil numbers	Capacity
Bel Royal	17	30
d'Auvergne	37	45
First Tower	22	40
Grands Vaux	8	30
Grouville	29	30
Janvrin	26	30
La Moye	26	30
Mont Nicolle	9	30
Plat Douet	32	40
Rouge Bouillon	17	30
Samarès	29	30
Springfield	26	26
St Clement's	25	30
St John's	13	30
St Lawrence	18	30
St Luke's	18	20
St Martin's	29	30
St Mary's	10	26
St Peter's	16	30
St Saviour's	17	30
Trinity	15	26
TOTALS	439	643

2.31 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of the Minister for Justice and Home Affairs regarding deportations (WQ.343/2025):

Question

Will the Minister advise how many recommendations for deportation have been made and how many people have been deported from Jersey since 2020, and will she also detail the reasons for their deportation and the nationality of any individuals deported?

Answer

Between January 2020 and September 2025, 48 persons were deported from Jersey, of whom 43 were recommended for deportation by the Courts. The table below provides a breakdown of those 48 persons by nationality:

Brazil	1
Egypt	1
France	3
Germany	1
Kenya	1
Latvia	1
Lithuania	1
Madagascar	1
Mozambique	1
Netherlands	1
Philippines	1
Poland	8
Portugal	17
Romania	5
Spain	2
Tunisia	1
Uzbekistan	2
	48

All deportations were as a result of conviction for a criminal offence. Criminal offences committed by those subject to deportation include:

Driving	Driving under the influence, dangerous driving, no insurance, no licence, failure to provide
Drugs	Importation, possession
Sexual	Rape, indecent assault, sexual touching without consent, sexual grooming, indecent/obscene material, indecent exposure
Theft / Damage	Breaking & entering, larceny, malicious damage, removal of criminal property
Violence / public order	Assault, grave & criminal assault, harassment, abusive behaviour, public nuisance, drunk & disorderly

2.32 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding the recent visit of the mental health campaigner Natasha Devon MBE (WQ.344/2025):

Question

Further to the recent visit of mental health campaigner Natasha Devon MBE to the Island to give talks in schools entitled ‘Phones, Social Media & Surviving the Online World’, will the Minister –

- (a) advise the purpose of these talks;
- (b) detail the total cost and advise who paid for these events;
- (c) provide a full schedule of the events held; and
- (d) provide a breakdown of the number of parents/carers and children who attended each event?

Answer

- (a) advise the purpose of these talks;

The purpose of the talks to young people was to help equip children aged 7–18 with the knowledge, confidence, and practical skills to navigate the digital world safely and responsibly.

Through engaging, age-appropriate discussions on online safety, artificial intelligence, and the impact of social media, the sessions aim to:

- Raise awareness of the opportunities and risks of technology,
- Promote critical thinking about AI and the content they encounter,
- Support mental health and wellbeing in an always-connected world, and
- Empower students to make positive, informed choices that protect their privacy, relationships, and future.

The talks encouraged open dialogue between students, teachers, and families, helping young people become safe, smart, and resilient digital citizens.

The purpose of the parent sessions was to support parents in understanding the digital world their children are growing up in and to provide practical strategies for guiding them safely and positively. Focusing on online safety, AI, and the impact of social media, the sessions aimed to:

- Raise awareness of current risks in children’s online lives,
- Equip parents with strategies to set healthy boundaries and encourage responsible technology use,
- Promote family dialogue about social media, online behaviour, and AI,
- Support children’s wellbeing by recognising the impact of screen time, online pressures, and digital influence.

These talks were designed to empower parents to feel confident in navigating technology with their children, building trust, resilience, and a balanced approach to life online.

- (b) detail the total cost and advise who paid for these events;

Cost details cannot be published due to commercial interests. CYPES paid for the events.

(c) provide a full schedule of the events held; and

Monday

Time	Location	Year Groups	Schools
08:35 - 09:35	Jersey College for Girls	8 - 13	Jersey College for Girls 7 and 10
10:00 - 11:00	Jersey College for Girls	4 - 9	Jersey College Preparatory 4-6, Victoria College Preparatory 4-6, St Michael's Preparatory 4-9 and St Mary's 4 - 6
11:15 - 12:15	Jersey College for Girls	4 - 6	St Saviour's, St Luke's, Plat Douet, Springfield, Bel Royal, Rouge Bouillon and St Lawrence
12:30 - 13:30	Jersey College for Girls	4 - 6	Trinity, St Martin's, La Moye and St George's Preparatory
14:25 - 15:25	Victoria College	7 - 9	Victoria College

Tuesday

Time	Location	Year Groups	Schools
8:50 - 9:40	Haute Vallée	8 and 9	Haute Vallée
09:50 - 10:40	Haute Vallée	10 and 11	Haute Vallée
11:20 - 12:10	Haute Vallée	4 - 7	Haute Vallée Y7 and First Tower
12:35 - 13:35	Hautlieu	10 and 11	Hautlieu
14:20 - 15:20	Hautlieu	12 and 13	Hautlieu
18:00 - 20:00	Jersey College for Girls	Parents	

Wednesday

Time	Location	Year Groups	Schools
8:35 - 9:35	Grainville	10 and 11	Grainville
9:45 - 10:45	Grainville	8 and 9	Grainville
11:15 - 12:15	Grainville	4 - 7	Grainville Y7 and FCJ
12:45 - 13:45	Les Quennevais	4 - 6	Les Landes + Mont Nicolle + St Peter's
14:00 - 15:00	Les Quennevais	7 and 8	Les Quennevais
18:00 - 20:00	Beaulieu Secondary Convent	Parents	

Thursday

Time	Location	Year Groups	Schools
8:30 - 9:30	Le Rocquier	7 - 11	Le Rocquier
09:45 - 10:45	Le Rocquier	4 - 6	Grouville, Samarès and St Clement's
11:15 - 12:15	Beaulieu Secondary	7 - 13	Beaulieu Secondary
13:00 - 14:00	Beaulieu Secondary	4 - 6	Beaulieu Primary, De La Salle Primary, Grand Vaux, Janvrin, St John's and d'Auvergne
14:35 - 15:25	De La Salle Secondary	7 - 13	De La Salle Secondary - all but y10

(d) provide a breakdown of the number of parents/carers and children who attended each event?"

We do not have exact numbers of those who attended each event; however we are able to provide the number that signed up to the events.

Parent events: 307

Tuesday 16th in person 42, online 129

Wednesday 17th in person 30, online 106

Monday	Schools	Number Approx
08:35 - 09:35	Jersey College for Girls 7 and 10	240
10:00 - 11:00	Jersey College Preparatory 4 - 6, Victoria College Preparatory 4 - 6, St Michael's Preparatory 4 - 9 and St Mary's Y4 - 6	594
11:15 - 12:15	St Saviour's, St Luke's, Plat Douet, Springfield, Bel Royal, Rouge Boullion and St Lawrence	656
12:30 - 13:30	Trinity, St Martin's and La Moye	312
14:25 - 15:25	Victoria College 7 - 9	350
		2152
Tuesday	Schools	Number Approx
8.50-9.40	Haute Vallée 8 and 9	309
09:50 – 10:40	Haute Vallée 10 and 11	240
11.20 – 12.10	Haute Vallée Y7 and First Tower	287
12:35 - 13:35	Hautlieu 10 and 11	300
14:20-15:20	Hautlieu 12 and 13	400
		1536

Wednesday	Schools	Number Approx
8.35-9.35	Grainville 10 and 11	298
9:45-10:45	Grainville 8 and 9	317
11.15 – 12.15	Grainville Y7 and FCJ	220
12:45 – 13:45	Les Landes, Mont Nicolle and St Peter's	311
14:00-15:00	Les Quennevais 7 and 8	363
		1509
Thursday Time	Schools	Number Approx
8.30-9.30	Le Rocquier	325
09.45 – 10.45	Grouville, Samarès and St Clement's	344
11:15 - 12:15	Beaulieu Secondary Convent	575
13:00 - 14:00	Beaulieu Primary, De La Salle Primary, Grands Vaux, Janvrin, St John's and d'Auvergne	401
14:35-15:25	De La Salle - all but Y10	420
		2065
	Grand Total	7262

2.33 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding ambulance response times (WQ.345/2025):

Question

Will the Minister provide target and actual ambulance response times, broken down by incident category, for each month in the last 2 years?

Answer

Under the Ambulance Response Programme (ARP), Emergency calls are categorised into four categories as follows:

- CAT1 – A time critical life-threatening event requiring immediate intervention or resuscitation
 - average response time target: 7 minutes
 - 90th percentile response time target: 15 minutes
- CAT2 – Potentially serious conditions that may require rapid assessment and urgent on-scene intervention and/or urgent transport
 - average response time target: 18 minutes
 - 90th percentile response time target: 40 minutes

- CAT3 – An urgent problem (not immediately life-threatening) that needs treatment to relieve suffering and transport or assessment and management at the scene with referral where needed within a clinically appropriate timeframe
 - average response time target: 60 minutes
 - 90th percentile response time target: 120 minutes
- CAT4 – Problems that are less urgent but require assessment and possibly transport within a clinically appropriate timeframe
 - 90th percentile response time target: 180 minutes

The table below shows the average response times (h:mm:ss) for each category by month.

Month	CAT1	CAT2	CAT3	CAT4
Sep-2023	0:07:31	0:10:48	0:32:55	0:56:39
Oct-2023	0:06:56	0:09:57	0:33:37	0:47:24
Nov-2023	0:07:38	0:09:46	0:30:46	0:48:45
Dec-2023	0:05:44	0:09:10	0:28:00	0:52:23
Jan-2024	0:05:59	0:09:59	0:25:21	0:31:28
Feb-2024	0:05:56	0:09:14	0:23:04	0:34:19
Mar-2024	0:06:22	0:09:08	0:23:52	0:36:06
Apr-2024	0:05:44	0:10:00	0:25:02	0:37:41
May-2024	0:05:59	0:08:31	0:24:28	0:39:40
Jun-2024	0:06:22	0:11:12	0:29:36	0:52:20
Jul-2024	0:07:00	0:09:17	0:26:25	0:40:15
Aug-2024	0:07:14	0:09:50	0:28:18	0:46:30
Sep-2024	0:07:00	0:10:56	0:31:41	0:44:10
Oct-2024	0:07:51	0:10:27	0:26:03	0:46:13
Nov-2024	0:08:03	0:10:50	0:27:01	0:45:38
Dec-2024	0:07:51	0:11:27	0:32:07	0:44:37
Jan-2025	0:06:40	0:10:43	0:29:32	0:53:07
Feb-2025	0:07:18	0:10:41	0:30:54	0:52:03
Mar-2025	0:05:38	0:08:56	0:25:31	0:33:52
Apr-2025	0:05:57	0:09:29	0:23:15	0:30:53
May-2025	0:05:47	0:09:07	0:25:38	0:33:15
Jun-2025	0:06:17	0:09:42	0:23:13	0:37:41
Jul-2025	0:06:44	0:10:30	0:25:37	0:46:33
Aug-2025	0:07:02	0:09:29	0:29:01	0:33:08

The table below shows the 90th percentile response times (h:mm:ss) for each category by month.

Month	CAT1	CAT2	CAT3	CAT4
Sep-2023	0:12:42	0:19:30	1:09:08	2:09:37
Oct-2023	0:13:16	0:16:43	1:18:25	1:39:02
Nov-2023	0:13:31	0:17:37	1:06:08	1:54:20
Dec-2023	0:11:05	0:15:28	1:09:42	2:17:37
Jan-2024	0:11:35	0:17:02	1:04:56	1:28:50
Feb-2024	0:10:14	0:16:21	0:58:12	1:35:23
Mar-2024	0:11:59	0:15:23	1:02:01	1:33:42
Apr-2024	0:10:20	0:16:49	1:00:22	1:30:09
May-2024	0:11:10	0:15:07	1:04:35	1:36:29
Jun-2024	0:10:53	0:20:18	1:08:11	2:02:33
Jul-2024	0:12:16	0:15:22	1:06:12	1:39:38
Aug-2024	0:11:19	0:17:21	1:02:57	1:50:17
Sep-2024	0:11:48	0:20:38	1:09:07	1:59:41
Oct-2024	0:14:24	0:18:20	1:02:48	1:45:38
Nov-2024	0:12:07	0:18:08	1:02:20	1:46:57
Dec-2024	0:13:35	0:20:45	1:12:08	1:46:37
Jan-2025	0:10:39	0:18:44	1:09:02	2:03:33
Feb-2025	0:12:00	0:17:51	1:13:47	1:57:41
Mar-2025	0:11:11	0:14:07	0:57:20	1:35:29
Apr-2025	0:10:45	0:14:24	0:59:03	1:25:31
May-2025	0:11:04	0:15:37	1:07:09	1:26:51
Jun-2025	0:09:45	0:16:07	0:53:53	1:39:36
Jul-2025	0:11:30	0:18:25	1:08:50	1:48:40
Aug-2025	0:12:54	0:14:57	1:09:26	1:39:58

2.34 Deputy R.S. Kovacs of St. Saviour of the Minister for Sustainable Economic Development regarding roadworks undertaken at Jersey Airport (WQ.346/2025):

Question

Will the Minister provide details and a breakdown of costs relating to roadworks undertaken at Jersey Airport in each of the last 10 years, specifically covering the area between the Airport roundabout and the arrivals and departures terminals, including works such as bollards, pedestrian crossings, resurfacing, and other associated road improvements?

Answer

Since its incorporation in 2015, Ports of Jersey has spent an average of £23K per annum on the roadways at the airport, incorporating maintenance and sweeping of the roadways, periodic resurfacing, as well as costs associated with measures to ensure the safety of the users of the roadways.

This includes a series of traffic calming measures implemented by Jersey Airport over the last two years which have cost approximately £129,000. Amongst these measures are:

- Upgrading and adding pedestrian crossings with improved lighting and clearer markings
- Resurfacing and road marking enhancements
- Traffic calming measures such as speed cushions, chicanes, and new signage
- Installation of bollards and barriers to separate pedestrian and vehicle flows
- Cycle route improvements

The safety of passengers, staff, and visitors is the top priority at Jersey Airport. Ports of Jersey has made targeted investments in the roadways between the Airport roundabout and the arrivals and departures terminals to mitigate real safety risks associated with the volume of traffic using these roadways and improve the overall experience for all users of the Airport. The airport roads see over 5,000 vehicle movements daily, making it one of the busiest parts of the airport estate.

Specifically, the investment in traffic calming and safety measures at the Airport has been driven by a combination of factors:

- **Excessive speeds:** Prior to introducing traffic calming measures, vehicles had been recorded entering the “drop-off zone” at speeds of up to 45mph, three times the speed limit.
- **Near misses and unsafe behaviour:** following the first phase of traffic calming measures, there were still incidents of dangerous driving from a minority of drivers, which required further intervention to manage safety.

Jersey Airport is one of the only airports in the British Isles that does not charge drivers to drop-off passengers at the front of the Airport. This would be the most effective way of restricting traffic access to the front of the Airport terminal. Instead, Jersey Airport has chosen to invest in traffic calming measures to provide safe access without introducing such charges. This ensures the area remains free to access, is convenient for passengers, while still addressing the safety risks.

2.35 Deputy R.S. Kovacs of St. Saviour of the Chief Minister regarding the Jersey Resilience Forum (WQ.347/2025):

Question

In relation to the Jersey Resilience Forum (JRF), will the Minister –

- (a) advise when the JRF was formed and the reasons for its establishment;
- (b) publish its Terms of Reference;
- (c) detail the membership of the JRF;
- (d) outline the frequency of meetings; and

(e) advise whether the Minutes of the meetings are publicly available and/or could be provided?

Answer

- (a) The first meeting of the Jersey Resilience Forum took place in June 2021. It was established to bring together all responders that might contribute towards the assessment of risk from major incidents or emergencies, as well as making preparations, responding to incidents and ensuring recovery measures are in place.
- (b) The Jersey Resilience Forum's role in responding to major incidents or emergencies can include managing malicious actors, so it is necessary to preserve confidentiality. In view of this, the terms of reference are not published. Copies of the document can be made available to States Members on a confidential basis.

(c) Jersey Resilience Forum Executive - Membership

Chair: Chief Executive Officer.

Members: Chief Officer of Justice and Home Affairs, Chief Officer of States of Jersey Police, Chief Fire Officer, States of Jersey Fire & Rescue Service, Chief Ambulance Officer, Chief Executive Officer of Ports of Jersey, Emergency Planning Officer, Director of Public Health, Director of Jersey Cyber Security Centre, Deputy Emergency Planning Officer, Assistant Emergency Planning Officers

Jersey Resilience Forum Delivery Group – Membership

Rotating Chair and member: Chief Officer of States of Jersey Police, Chief Fire Officer, States of Jersey Fire & Rescue Service, Chief Ambulance Officer.

Members: Chief Officer of Justice and Home Affairs, Emergency Planning Officer, Chief Officer of Health and Social Services, Chief Officer of Infrastructure and Environment, Harbourmaster, Airport Director, Deputy Director of Public Health, Deputy Director of Public Health, Jersey Field Squadron Commanding Officer (MoD), Chief Officer of the Airport Fire Service, Director of Environmental Health, Chief Veterinary Officer, Director of Health and Safety Inspectorate, Principal Meteorological Officer, GoJ head of Communications, representatives of the Honorary Police, Jersey Water, Jersey Electricity, Island Energy, JT, Sure, the fuel supply sector, and voluntary agencies.

(d) Meetings are held 6 times a year.

The minutes of meetings are not publicly available for the reason specified in (b) above, and there are no plans to publish the minutes. A confidential briefing on the activities of the Jersey Resilience Forum can be provided to States Members.

2.36 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding Jersey Sports Academy (WQ.348/2025):

Question

Further to [P/2016/0520](#), and the related [Planning Obligation Agreement](#) which placed a duty upon Jersey Sports Academy (operating as Strive) to update the Minister every school term on the take up levels of the time slots offered to schools as part of the commitment to provide 4044 free hours of school and community use a year as agreed by the Community Use Monitoring Programme,

alongside the requirement to conduct a review of the [Service Level Agreement](#) “a minimum once per fiscal year”, will the Minister –

- (a) advise whether he or his department have received termly reports on the take up levels of the available hours, since the Jersey Sports Academy (JSA) opened in 2021, and if so, will he publish a summary of those reports and any resulting actions;
- (b) detail the total hours of community use which have been made available to Island school and sports clubs on an annual basis, and provide the number of hours taken up by those groups; and
- (c) advise whether the annual reviews mentioned in the Service Level Agreement have taken place, and if so, provide details of those reviews and any actions arising from them?

Answer

- (a) Formal reports have not been received by the Minister for Sustainable Economic Development or his department since the Jersey Sports Academy (JSA), operating as Strive (“the Owner”), opened in 2021. In 2016, the then Minister for EDTSC was one of 3 parties to the agreement, along with the then Minister for Education and the Chief Officer of the then Department for the Environment. Ad-hoc updates are provided to the Department for the Economy as required and Strive maintain an ongoing relationship directly with Jersey Sport and with Island schools, sports and community groups, in relation to use of the facility during available hours.

As noted in part b), the required hours for schools and community use have been offered and there has also been ongoing collaboration between Jersey Sport and Strive around provision of the facility to wider public users. This ensures continued alignment with the Government and Jersey Sport objective to target the least active groups.

Strive also regularly feature in local media, highlighting ongoing support for a range of facility users.

- (b) It should be noted that schools hours are free and sports club and wider community use is chargeable but discounted.
 - Total hours offered per annum: 4044
 - Total take up in the last 12 months: 3505.5
 - Percentage take-up: 86.7%

In addition, Jersey Sport have used Strive as a base for their 12-week Exercise Referral programme as follows:

2023: 214 participants (with waiting time of 16 weeks to access the programme)

2024: 203 participants (despite temporary programme suspension whilst a new delivery model was established to reduce waiting times)

2025: 321 participants to date (no waiting time to access the programme)

- (c) No review has been undertaken by the Department for the Economy since the Department's establishment in 2021. The owner monitors usage and works directly with Jersey Sport, schools, sports and community groups to maximise use of the facility.

2.37 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding Comptroller and Auditor General Reports (WQ.349/2025):

Question

In relation to reports presented by the Comptroller and Auditor General (C&AG), will the Chief Minister advise –

- (a) how C&AG reports and recommendations are incorporated into Council of Ministers business;
- (b) the consequences, if any, for Ministers and Departments who fail to act on C&AG recommendations; and
- (c) whether he has any concerns relating to the delivery of C&AG recommendations and, if so, how might they be addressed?

Answer

- (a) The Comptroller and Auditor General has issued more than 1,100 recommendations since 2014, of which 1,058 have been actioned and 42 remain outstanding.

These recommendations are reported to the Public Accounts Committee, which holds Chief Officers to account for the effective financial management. Officials escalate these matters to individual Ministers as appropriate. In addition, the Chief Minister and Minister for Treasury and Resources regularly meet the Comptroller and Auditor General to discuss progress and current issues.

- (b) Officials are subject to annual performance review and appraisal, including in relation to their financial duties, the management of risk and implementation of recommendations. They are also questioned by the Public Accounts Committee on these matters.

Ministers always remain accountable to the Assembly.

- (c) It is important to remember that the Comptroller and Auditor General makes recommendations and there is no statutory requirement to implement them. However, the policy of the Government is to work as closely as possible with the Comptroller and Auditor General in the interests of good fiscal management.

In a recent report, the Comptroller and Auditor General concluded that the Government's financial management and internal control framework 'had significantly improved since 2019'. This reflects an increased emphasis on effective financial management.

There are no specific concerns over the delivery of recommendations, but Ministers are mindful of the need to ensure that the costs of implementing recommendations do not outweigh the potential benefits while also managing risk.

2.38 Deputy K.M. Wilson of St. Clement of the Minister for Treasury and Resources regarding the £10m annual per annum efficiency savings target (WQ.350/2025):

Question

In relation to the £10m per annum efficiency savings target as part of the Value for Money Programme included in the [Government Plan 2023-2026](#), will the Minister –

- (a) advise if the annual £10m target was met for the last Financial Year;
- (b) detail the total cashable savings achieved by the Government in the last Financial Year, broken down by department;
- (c) explain which savings, if any, are recurrent, and which were 'one off';
- (d) outline the methodologies used to clarify and verify efficiency savings figures; and
- (e) advise what independent audit or assurance was applied to these savings?

Answer

Government Plan 2024-2027 provided an update on the Value for Money programme, including updating the target to £14.4 million (later amended to £16.3 million), to reflect additional amounts to be delivered through the HCS Financial Recovery Programme.

- a) The [Annual Report and Accounts 2024](#) includes disclosures on the delivery of savings (page 60). £18.0 million was delivered in 2024.
- b) The departmental breakdown is included in the ARA, but is reproduced below for ease:

Department	Savings £'000
Health and Community Services	6,750
Children, Young People, Education and Skills	3,633
Cabinet Office	2,907
Economic Development, Tourism, Sport & Culture	2,065
Infrastructure and Environment	877
Other Departments	1,783
TOTALs	18,015

- c) Departmental expenditure limits have been reduced by the allocated amount of savings on a recurring basis. Where recurring savings have taken longer to implement, non-recurring actions may have been used.
- d) Information on savings are collated from departments as part of the information required by the Treasurer to allow him to prepare the Annual Report and Accounts. This is prepared and then reviewed by Finance Business Partners to verify the figure.

All returns and disclosures were reviewed by the Group Director – Business Partnering and Analytics before finalisation. As disclosure forms part of the Financial Review, the external auditors only review for consistency with the financial statements, and do not provide specific assurance

2.39 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Justice and Home Affairs regarding La Moye Prison (WQ.351/2025):

Question

Further to the [Report on an announced inspection of La Moye Prison](#), which highlighted as one of key concern that “there was no mandatory post-release probation supervision for most adult prisoners, which potentially undermined public protection”, an outstanding recommendation from the previous inspection and report in 2017, will the Minister advise what actions, if any, are being taken to introduce mandatory post-release supervision, explain why this was not pursued previously, and outline what resources have been identified in the forthcoming Budget to support the introduction of this service, and, if no actions are being taken, explain why not?

Answer

Considerable work has been done towards the development of a scheme of mandatory post-release probation supervision since 2017. After initial development, work was paused during the pandemic and since that time both policy development and legislative drafting resources have been assigned to other activity in line with the Government’s published schedule of priorities.

Most recently, most of the available policy capacity has been directed towards meeting the recommendations of the VAWG Taskforce report, as well as introducing an arguably more important redesign of the remission, release and post-custodial arrangements for children and young people.

However, despite other pressures, drafting instructions have been finalised in 2025 and are now with the Legislative Drafting Office awaiting drafting capacity, which is currently fully committed in line with the Government’s legislative programme. Work is anticipated to begin when capacity becomes available, subject to the prioritisation of other items.

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2.40 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Justice and Home Affairs regarding the Firearms (Jersey) Law 2000 (WQ.352/2025):

Question

Further to the Children, Education, and Home Affairs Scrutiny Panel meeting on [2nd July 2025](#), where she explained plans to review the Firearms (Jersey) Law 2000, will the Minister provide an update on the implementation and actions relating to this review, including –

- (a) an explanation of the package of short-term measures proposed;
- (b) when they were actioned, what the response has been to these changes from the public, and when the full-scale review will take place; and
- (c) what, if any, consultation has been undertaken with relevant stakeholders, including advice from H.M. Attorney General, regarding a firearms amnesty?

Answer

It has previously been confirmed that, due to other priorities it would not be possible to progress with a full review of firearms legislation during this term of office. This Minister therefore cannot provide a commitment as to when a full-scale review will take place. It will be for the next Minister to determine their priorities upon appointment.

In this context, the Minister attended upon the Comité des Connétables on 16 September 2024 to discuss what concerns the Connétables, as the issuing authority for firearms certificates, had with regard to the present regime and whether there was any scope for making limited changes to ameliorate those.

It was further agreed that the States of Jersey Police would work with a small group of Constables to seek agreement on measures which could be implemented to make improvements focussed on reducing risk in lieu of a full review. The Minister is grateful to the Connétables for their engagement on this.

There are a number of measures which include:

- Continuing to apply the policy that a person must have good reason to possess each firearm and to acquire additional firearms, i.e. "Wish Lists" are not granted.

- All licences to be issued without ammunition, the applicant to apply for the addition of ammunition which will only be permitted if there is “Good Reason” to possess, i.e. an applicant will not automatically be granted up to 5,000 rounds.
- Requirement for applicants to evidence membership of an approved shooting club, only those who are members and regular attendees will have good reason to possess ammunition.
- Review and improve the medical referee process.
- Consider requiring referees to be the holder of a Firearm Certificate.

It should be noted that, aside from an increase to fees and amendments to the application form to gather relevant information in respect of ammunition, these measures are policy decisions that can be implemented by the issuing authorities, i.e the Connétables, and in some cases already are.

The Comité des Connétables produce guidelines for how applications for firearms certificates are to be dealt with, and it is understood that an updated version has been recently signed off.

The Minister will be meeting with members of the firearms community at their request to discuss certain changes before implementation, and it is important to note that these are relatively limited changes which should not unduly inconvenience legitimate shooters.

The Minister understands that the Comité des Connétables has consulted HM Attorney General in relation to an amnesty. This has also been raised with the Chief of Police, and it is understood that both support the idea in principle.

2.41 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding the treatment protocols for prostate cancer (WQ.353/2025):

Question

In relation to the treatment protocols for prostate cancer, will the Minister advise –

- (a) the number of individuals who are currently under active surveillance;
- (b) how the local protocols adhere to NICE guidelines;
- (c) whether the treatment provided is different if the individual has private medical insurance;
- (d) how the downsides of not pursuing treatment are explained to patients; and
- (e) whether the apparent age limit of 72 for surgical removal is widely communicated?

Answer

- (a) the number of individuals who are currently under active surveillance;

Approximately 300 Islanders are currently under active surveillance.

Active Surveillance (AS) is one of the options discussed in the Urology Multidisciplinary Team (MDT) meeting, for each new prostate cancer patient. This discussion is informed by the results of a prognostic tool. This decision to pursue active surveillance is presented to the patient who, together with the clinician, can then make a decision on best way forward.

(b) how the local protocols adhere to NICE guidelines;

I can confirm that the Health & Care Jersey protocols are NICE compliant for prostate cancer diagnostics and treatment, where there are NICE guidelines.

There are no NICE guidelines for AS. Health & Care Jersey use a protocol which is based on the Stratified Cancer Surveillance (STRATCANS) programme that our tertiary referral partners (Addenbrooke's) use, adapted to suit our island clinical practice e.g. more MRI surveillance but fewer blood tests.

(c) whether the treatment provided is different if the individual has private medical insurance;

Treatment options offered are the same for public and private patients, with decisions for treatment being based on clinical criteria (cancer risk group, stage, patient health / comorbidities / fitness for treatment) and patient preferences.

All AS patients are followed up using the same protocol. The only difference is that private patients are followed up by a consultant and public patients followed up by a Urology Advanced Clinical Practitioner (ACP) who works very closely with the consultant. This is the same as it is in the UK.

It is also possible that patients using private healthcare may have access to choice of surgeon, facility (in the UK), and lower waiting times for radiotherapy through private facilities.

(d) how the downsides of not pursuing treatment are explained to patients

All patients with a new diagnosis of prostate cancer are seen by the Urology Consultant. Their diagnosis, appropriate treatment options, and risks and benefits of all treatment options are explained i.e. 'Active surveillance', 'watchful waiting', radical prostatectomy (surgery) or radiotherapy.

Patients are offered a consultation with the Urology ACP to explain and consider their options again.

Prostate cancer treatment options vary according to several cancer specific and patient specific factors. 'Active surveillance' and 'watchful waiting' are not an absence of treatment; they are structured, evidence-based management pathways recommended by NICE. The risk of disease progression is mitigated by monitoring and timely intervention.

(f) whether the apparent age limit of 72 for surgical removal is widely communicated

There is no age limit for radical surgery; treatment options, including surgery, are considered based on a number of factors including age and medical co-morbidities.

Clinicians at Addenbrooke's cite 72-73 years of age as a general consideration, because older adults are more likely to experience complications from surgery – but decision-making is dependent on the individual patient and a range of risk factors.

Of note, radical surgery is not the only option; radiotherapy is an alternative, effective option for treating prostate cancer, with less risk of complications.

2.42 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding an anaerobic digestion plant in Jersey (WQ.354/2025):

Question

Will the Minister advise whether there have been any meetings or correspondence between the Government and Island Energy regarding the latter's recently announced plans to build an anaerobic digestion plant in Jersey and if so, will he provide details?

Answer

I understand that, at the invitation of Island Energy Group, the Chief Officer and an officer of the Infrastructure and Environment Department met with Island Energy in August this year. The purpose of the meeting was to fact find (on IEG's part) to understand current use of anaerobic digestion (AD) by Infrastructure and Environment, including the operation of the current AD plant at the Bellozanne Sewage Treatment Works, and to understand waste arisings in the Island, as they (IEG) had signalled to Government that they were looking to expand into this area.

The Bellozanne Sewage Treatment Works currently uses a combined heat and power unit as an integrated part of the sludge treatment process to generate both heat and electrical power for the site fuelled by the gaseous by-products of sewage digestion.

No further contact in relation to AD, rDME or any other waste processing has been made since this initial discussion as far as I am aware.

2.43 Deputy I. Gardiner of St. Helier north of the Minister for Housing regarding policy directions given to Andium Homes (WQ.355/2025):

Question

Will the Minister –

- (a) provide details of the specific policy directions given to Andium Homes (Andium) for the period 2024-2026 and the objectives that were to be achieved during 2024 and 2025;
- (b) advise how these objectives connect, if at all, to the [Island Outcomes Indicators](#), the procedures used to measure whether Andium is contributing effectively to the wider Island Outcome, and what metrics are used to evaluate this contribution with specific examples provided for 2024;
- (c) advise how the Minister is assured the policy directions and objectives are being implemented as he intended and remain on track, and further advise how often they are reviewed;
- (d) detail how he co-ordinates with the Minister for Treasury and Resources (as shareholder representative) to ensure that the policy priorities are consistently reflected in Andium's strategic business plans and Memoranda of Understanding; and
- (e) outline the policy directions and objectives he is considering for Andium for 2026, and how they will align with housing and regeneration infrastructure priorities?

Answer

- (a) As outlined in [P33/2013](#) and the Memorandum of Understanding (which was recently [updated](#)) with the Guarantor, there are a number of specific policy directions that continue to be at the core of what is delivered by Andium Homes. In 2024 and 2025, this included the following projects:

- development of new affordable housing products, including First Step;

- beginning to review the Social Housing Rents Policy;
- implementing changes to the criteria for eligibility for social housing;
- Establishing and implementing a Rightsizing policy;
- supporting the development of housing policy, in particular the progress made in acquiring and starting building work on several Bridging Island Plan sites.

The objectives of Andium Homes are outlined in the published [Memorandum of Understanding](#) and [Strategic Business Plan](#). The [Annual Report](#) provides an analysis of performance against the objectives.

- (b) In working to provide rental and purchase homes for the Island, Andium is clearly meeting the objectives of the Island Outcomes Indicators. Contributions are assessed annually as part of Andium's Annual Report.
- (c) The Minister remains assured that Andium is delivering on core objectives, often in direct collaboration with his officers. How these objectives are implemented is evidenced in Andium's Strategic Business Plan and Annual Report, taking into account their Memorandum of Understanding (MoU) with the Guarantor.
- (d) The Minister for Housing co-ordinates with the Minister for Treasury and Resources as and when policy priorities change. This can be in the form of meetings, briefings and informal discussions.
- (e) The Minister for Housing is first focused on completing the work for 2025. Further policy directives for 2026 and beyond will be produced in due course. Work is currently underway to produce a revised Strategic Business Plan for Andium, which the Minister and his team are consulted on.

2.44 Deputy I. Gardiner of St. Helier North of the Minister for Sustainable Economic Development regarding policy directions given to the Ports of Jersey (WQ.356/2025):

Question

Will the Minister –

- (a) provide details of the specific policy directions given to the Ports of Jersey (PoJ) for the period 2024-2026 and the objectives that were to be achieved during 2024 and 2025;
- (b) advise how these objectives connect, if at all, to the [Island Outcomes Indicators](#), the procedures used to measure whether the PoJ is contributing effectively to the wider Island Outcome and what metrics are used to evaluate this contribution with specific examples provided for 2024;
- (c) advise how the Minister is assured the policy directions and objectives are being implemented as he intended and remain on track, and further advise how often they are reviewed;
- (d) detail how he co-ordinates with the Minister for Treasury and Resources (as shareholder representative) to ensure that the policy priorities are consistently reflected in the PoJ's strategic business plans and Memoranda of Understanding; and

- (e) outline the policy directions and objectives he is considering for the PoJ for the year 2026, and how they will align with infrastructure regeneration priorities?

Answer

- a) In January 2024, the Government published the [Ports Policy Framework](#) (PPF) which sets out eight strategic priorities for Jersey's ports sector. The PPF was developed to provide Ports of Jersey Ltd, and all other stakeholders within Jersey's aviation and maritime ecosystem, with a clear policy platform for sustainable development and diversification.

More specifically, I have issued two revisions to Jersey's Sea Transport Policy to give the Harbour Master the requisite authority to manage ramp licences following the appointment of DFDS as Jersey's principal ferry operator. The Sea Transport Policy gives the Harbour Master the ability to confer a level of exclusive access to DFDS as part of the Government's Concession Agreement with operator. The most recent update to the policy allows for the issuance of ramp licences to other Ropax ferry operators (namely, Brittany Ferries) in order for them to fulfil inter-island services only between Jersey and the Bailiwick of Guernsey. Ramp licences have since been issued accordingly.

Jersey's Air Transport Policy has largely remained unchanged since 2003 when Jersey adopted "Open Skies", allowing greater commercial dynamism in the service of Jersey's overall connectivity.

- b) I refer to Page 14 of the Ports Policy Framework which outlines how Jersey's Island Outcome Indicators are central to how the PPF's priority areas were identified, and how it is Government's expectation that the sector develops in line with Jersey's Island Outcomes. Given the expanse of Jersey's ports sector as an island nation, environmental, community, and economic protections and successes are ubiquitous to the development of the sector. Specifically for 2024, I would point to Harbour and Airport Master planning, and Ferry Services procurement as three processes that were closely guided by, and assessed with, the tenets of the PPF and Island Indicators at their centre.
- c) The Ports Policy Ministerial Group, which I chair, and which is attended by the Minister for Treasury and Resources, Minister for Infrastructure, and Chief Minister, meets quarterly to review progress against priority areas within the PPF, and to provide guidance to Ports of Jersey Ltd around major projects and discrete initiatives. The PPMG last convened on 22nd July 2025.
- d) The primary interface between me as the MSED and the Minister for Treasury and Resources on ports matters is the Ports Policy Ministerial Group. Treasury, fulfilling the stakeholder function for Ports of Jersey, leads on oversight of POJ's strategic business planning.
- e) I do not readily foresee circumstances in which the PPF will be substantially reviewed or altered during the remaining months of this political cycle. Ports of Jersey's Elizabeth Harbour redevelopment plan, which gained planning approval in October 2024, was supported by the PPF and its progress is central to enhancing Jersey's maritime connectivity, supply chain, and community place-making in St Helier.

As we continue to develop Jersey's new partnership with DFDS, the efficacy of the Sea Transport Policy will kept under regular review in order to ensure both the resilience of Jersey's Ropax ferry services and a vibrant local maritime ecosystem, particularly around inter-island connectivity and for enhancing economic and cultural links with northern France.

2.45 Deputy I. Gardiner of St. Helier North of the Chief Minister regarding policy directions given to the Jersey Development Company (WQ.357/2025):

Question

Will the Chief Minister –

- (f) provide details of the specific policy directions given to the Jersey Development Company (JDC) for the period 2024-2026 and the objectives that were to be achieved during 2024 and 2025;
- (g) advise how these objectives connect, if at all, to the [Island Outcomes Indicators](#), the procedures used to measure whether the JDC is contributing effectively to the wider Island Outcome and what metrics are used to evaluate this contribution with specific examples provided for 2024;
- (h) advise how the Minister is assured the policy directions and objectives are being implemented as he intended and remain on track, and further advise how often they are reviewed;
- (i) detail how he co-ordinates with the Minister for Treasury and Resources (as shareholder representative) to ensure that the policy priorities are consistently reflected in the strategic business plans and Memoranda of Understanding; and
- (j) outline the policy directions and objectives he is considering for the JDC for the year 2026, and how they will align with infrastructure priorities?

Answer

- (a) The Regeneration Steering Group provides ongoing guidance and direction to the States of Jersey Development Company. These matters are recorded in the Part B minutes. In 2024 and 2025, this related to the following projects:

- (a) Horizon
- (b) IFC 6
- (c) IFC 2
- (d) South Hill
- (e) Ice Rink
- (f) Southwest St Helier (Waterfront)
- (g) Fort Regent

The objectives of the States of Jersey Development Company are outlined in the published Memorandum of Understanding and their Strategic Business Plans. The Annual Report and Accounts provide an analysis of performance against these objectives:

Memorandum of Understanding: [Microsoft Word - SoJDC MoU - Final](#)

2021 Strategic Business Plan: [0b20a7_9887716b1202442cb6ed5713f5d9bb73.pdf](#).

2024 Annual Report and Accounts: [J0201 - JDC Annual Report & Accounts 2024 v09.indd](#).

A new JDC Strategic Business Plan is under development and will be issued later this year.

- (b) Specific objectives, performance measures, and progress against them, are all published in the above documents. They are aligned with, and connected to, the Island Outcome Indicators.
- (c) The Regeneration Steering Group reviews the work of the States of Jersey Development Company. The performance of the company is also reported quarterly to the Shareholder via Shareholder meetings with the Board and executive.
- (d) The Minister for Treasury and Resources attends the Regeneration Steering Group.

The new JDC Strategic Business Plan will align with the Government's priorities, including objectives around infrastructure as outlined in "Investing in Jersey". A States Members briefing will be arranged prior to the publication of the new JDC Business Plan later this year.

4. Oral Questions

4.1 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding savings identified in the States of Jersey Group 2024 Annual Report and Accounts (OQ.204/2025):

Will the Chief Minister provide detail of the additional £1.7 million savings identified in the States of Jersey Group 2024 Annual Report and Accounts, generated above the original Government efficiency targets established in the Government Plan 2024-2027?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

The additional £1.7 million of savings reported for 2024 relate solely to Health and Care Jersey. These were above the original efficiency savings target and were required to mitigate unanticipated budget pressures within the department during the year. The savings were achieved primarily through careful management of the workforce and vacancies, procurement savings from a more centralised buying approach, and an increase in income from private patients. The original target for health and care financial recovery programme was £5 million; in total just over £6.7 million was delivered.

4.1.1 Deputy K.M. Wilson:

Given the additional savings, could the Chief Minister explain why these opportunities were not identified and delivered as part of the original plan? Does this suggest that perhaps the Government's planning and oversight processes are failing to capture some of the potential efficiencies up front and could he tell us what steps he is going to take to prevent such oversights in the future, if this is what happened?

Deputy L.J. Farnham:

I do not think there was any oversight as such when efficiencies and savings plans are put in place. They are based on best estimates and best efforts. Just across every department we will see situations

and circumstances where some efficiency savings are not met and some are exceeded, and change in circumstances during the year means sometimes we have to operate on the go, as it were, and that is what happened in this case. As I said before, the additional efficiency savings were made due to budgetary pressure, so the department acted accordingly to get the extra savings required.

4.2 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding outstanding debt owed by Andium Homes, ports of Jersey and the Jersey Development Company (OQ.209/2025):

Will the Minister state the total amount of outstanding debt owed by Andium Homes, Ports of Jersey and the Jersey Development Company, and advise whether any consideration has been given to the ongoing servicing of this level of debt?

Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

The outstanding debt of each organisation is currently Andium Homes, £488.1 million; Ports of Jersey, £47 million; States of Jersey Development Company, £36.1 million. Each of those organisations operates under the oversight of an independent and professional board that is responsible for managing their finances, including the monitoring and servicing of debt. I receive regular updates through quarterly shareholder meetings, and I am satisfied that the boards are exercising sound financial governance and oversight.

4.2.1 Deputy M.B. Andrews:

Obviously, the Minister is currently undertaking work to review Andium Homes' rental policy, and I want to know whether there are any concerns that she has about the potential lowering of rents and the ability to then service the debts.

Deputy M.E. Millar:

I think the piece of work that the Deputy refers to is being conducted by the Minister for Housing.

[9:45]

I have not been directly involved in that as yet. But, yes, if rents are reduced then that may have an impact on Andium's ability to service the debt going forward, and that is something that does need to be taken very carefully into account.

4.2.2 Deputy I. Gardiner of St. Helier North:

Would the Minister confirm if all outstanding debt for the companies that were mentioned is guaranteed by the public?

Deputy M.E. Millar:

No, I do not believe there are formal guarantees. Each company enters into its financing arrangements independently. I do not recollect signing any guarantees, and the responsibility of the payment of the debt in the first instance rests with the directors, but each company will have considered very carefully the amount that it borrows and the way in which it is going to repay.

4.2.3 Deputy I. Gardiner:

Would the Minister confirm that none of the outstanding debt borrowing by the companies is guaranteed by the States and if not, is there a maximum debt ceiling set to each of these entities because they are still public-owned entities?

Deputy M.E. Millar:

As I say, I am not aware that the Government have given formal guarantees. I am quite sure we have not given formal guarantees. The debt, for example, the Andium debt, will be secured ... if it is

secured, it will be secured against its assets. It has something like 300 per cent asset-to-debt coverage. Its assets are worth significantly more than the amount of the debt. The raising of the debt is considered by the directors in line with professional advice, and we are then consulted as appropriate.

4.2.4 Deputy M.B. Andrews:

Obviously the Ports of Jersey have unveiled plans at the harbour and that will require borrowing. I just want to know whether the Minister for Treasury and Resources is concerned that this could have an impact for service users, who could then be facing higher charges.

Deputy M.E. Millar:

I have not seen details about how that debt will be raised or secured. I am sure that the Ports of Jersey will take professional advice on that, and I am sure that everybody will use their best endeavours to ensure that there are no increases as a result of the debt. I would be very surprised if the public were being asked to pay more to refund borrowing.

4.3 Connétable K. Shenton-Stone of St. Martin of the Minister for Social Security regarding the use of Non-Disclosure Agreements (OQ.211/2025):

Will the Minister advise what consideration, if any, has been given to following the U.K. (United Kingdom) in amending the Employment (Jersey) Law 2003 to prohibit the use of N.D.A. (Non-Disclosure Agreements) in cases involving sexual harassment, discrimination, or other forms of misconduct; and in the absence of such legislation, what safeguards currently exist to ensure that N.D.A.s are not used to silence victims of workplace abuse or discrimination in Jersey?

Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

I thank the Connétable for her question. She knows that this is a subject that is of great concern to me, as I said to the Scrutiny Panel when I met them last week. Non-disclosure agreements should not be being used to cover up instances of sexual harassment or discrimination. The U.K. proposal to which the Connétable refers still has some way to go before it becomes law, and my view is that similar action in Jersey should be pursued through the work of the Employment Forum. Given where we stand in terms of the forthcoming election and my published work programme, it would not be feasible to make meaningful progress on this issue before the end of this parliamentary term, as my team is currently focusing on completion of the whistleblowing legislation. However, the Discrimination Law is clear; protections are in place for those who experience poor treatment in the workplace and I encourage those who are affected by such behaviours to use the tribunal process to seek redress. But I do have to say to the Assembly that I do remain disappointed that the Employment Forum's recommendation in relation to compensation for discriminatory behaviour was rejected due to an amendment on compensation limits. We had the opportunity to send a powerful message that discrimination in all its forms would not and should not be tolerated and that sanctions should be meaningful but we failed to do so. I hope that a future Assembly will have more success when it comes to agreeing appropriate levels of compensation for Islanders whose lives can be blighted by discriminatory behaviours.

The Connétable of St. Martin:

I thank the Minister for her response on this and I think she sent out quite a clear message, thank you.

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

Would the Minister seek to collect some data on how many N.D.A.s have been signed across various departments, Parishes, any data that can be collected? I think that would be a good short-term step to take.

Deputy L.V. Feltham:

I thank the Deputy for her question. I know that she mentioned Government employees and Parishes where I think potentially there could be a possibility to collect information. Obviously I am not responsible for that data, that question would be better asked to the chair of the States Employment Board and maybe the Comité des Connétables.

4.3.2 Deputy L.M.C. Doublet:

Would the Minister feel able to raise this herself with S.E.B. (States Employment Board)?

Deputy L.V. Feltham:

Yes, I am always happy to raise matters of concern such as this with the States Employment Board.

4.3.3 Deputy P.M. Bailhache of St. Clement:

My experience as a member of the States Employment Board showed that N.D.A.s were used as a matter of routine in cases against the S.E.B. before the Employment Tribunal. Would the Minister agree to request the States Employment Board to reconsider its stance in relation to N.D.A.s and to limit them to cases where they were absolutely necessary?

Deputy L.V. Feltham:

I think any employer should be limiting N.D.A.s to cases where it is absolutely necessary. Of course, any Member can speak to members of the States Employment Board, which do represent this Assembly, and make their views known. I encourage the Deputy to make his views known to the chair and the vice-chair of the States Employment Board.

4.3.4 Deputy J. Renouf of St. Brelade:

Is the Minister aware of any conversations that have been had between Ministers or with the States Employment Board on the subject of N.D.A.s relating to harassment, particularly with a view to suggesting that they would not be a good idea?

Deputy L.V. Feltham:

No, I am not aware of any such conversations. I believe that matters regarding the States Employment Board are always subject to confidentiality. I am not a member of the States Employment Board.

4.3.5 Deputy J. Renouf:

Developing the theme of Deputy Doublet's question, is it something that the Minister would feel able to approach the States Employment Board with to express her Ministerial view on that?

Deputy L.V. Feltham:

I think all members of the States Employment Board are in this Assembly and have heard my message loud and clear today about my view on matters of non-disclosure and treatment in the workplace.

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

Is the Minister aware what guidance or support mechanism are currently available to employees in Jersey who may be asked to sign an N.D.A. in circumstances involving alleged misconduct to ensure they fully understand their rights and they are not deterred from seeking justice?

Deputy L.V. Feltham:

Of course any employee has the right to join a trade union, who would be best placed to provide the best possible advice in that type of situation. But also the Jersey Advisory and Conciliation Service is available to provide objective advice to both employers and employees about appropriate processes.

4.3.7 Deputy M. Tadier of St. Brelade:

Is the Minister concerned that where an employee has been dismissed and does not wish to accept an offer from the employer, maybe in this case the S.E.B., that if they then go to tribunal and their case is upheld they may not get any compensation if they have refused an offer, and that the reason they may have refused that initial offer could be linked to the fact they did not want to sign a non-disclosure agreement? Does the Minister think that is fair and that there should be a reconsideration also of the tribunal and employment law.

Deputy L.V. Feltham:

Obviously, I cannot comment on specific cases that may or may not have been through the tribunal. What I would say is, as I said in my initial answer to the first question, I would encourage and would want processes to be ones that would enable people to seek recompense through the tribunal process. I would be concerned if matters were that people were being discouraged from using the correct process because of outcomes in certain cases.

4.3.8 Deputy M. Tadier:

I would simply ask again if the Minister would commit to looking at I think it is Article 77(2), Article 77E of the relevant law which allows the tribunal to basically reduce the compensation that could be made if an offer has been refused given the fact that that person may wish for the matter to be dealt with in a public forum, and therefore it seems to me reasonable that somebody should not be penalised for wanting to go through a public process rather than a closed process involving an N.D.A. Does the Minister agree to look into that?

Deputy L.V. Feltham:

Yes, I am more than happy to look into that.

4.4 Deputy S.M. Ahier of St. Helier North of the Minister for Sustainable Economic Development regarding the recent allocation of £2m to Visit Jersey and £1m to Ports of Jersey (OQ.215/2025):

Further to the publication of R.142/2025, *Better Business Support Package Q1-2 2025 Delivery Report*, will the Minister explain the rationale behind the allocation of £2 million to Visit Jersey and £1 million to Ports of Jersey; and is it his intention to give similar grants to these 2 entities next year?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

The Better Business Support Package is designed to provide key investments into our economy to help secure increased productivity and its long-term growth. The package, as the Assembly will know, is a 2-year programme and while we will be evaluating the impacts of the investment it is highly likely that the grants will remain the same in 2026.

4.4.1 Deputy S.M. Ahier:

Visit Jersey received £5 million from the Government in 2018 and they still receive £5 million in 2024. This is clearly a large reduction in real terms, taking inflation into account. Has the Minister made this £2 million allocation because he accepts that Visit Jersey is underfunded?

Deputy K.F. Morel:

I do think that Visit Jersey has struggled with funding because that funding had not changed for many, many years. It is absolutely correct that obviously an extra £2 million in funding this year and an extra £2 million in funding the next year will be of great value for Visit Jersey and in promoting the Island as a tourism destination.

4.4.2 Deputy I. Gardiner of St. Helier North:

We know that the passenger numbers and hotel nights are key performance indicators to visit Jersey, yet both are falling. What specific performance measures, targets, has the Minister attached to the £2 million grant and how will Islanders know that this investment delivers value for money?

Deputy K.F. Morel:

There are key performance indicators around all of the grants via the Better Business Support Package. I could not recall them all right now, but I would be happy to advise the Deputy via email.

4.4.3 Deputy I. Gardiner:

First of all, thank you for the Minister that hopefully it will be published. It is not just for my attention or States Members' attention, but also for the public. Would the Minister confirm that the most important key performance indicator for the investment is actually increased visitors' numbers and their nights staying, investing in the economy?

Deputy K.F. Morel:

The whole concept behind the extra visitor support money for Visit Jersey was entirely to try to secure as many visitors as possible. I think that also needs to be balanced off with the environment with which they are working in. Whether it is always an increased amount of visitors, I think it is hard to guarantee. But the idea is to enable them to advertise and sell Jersey to as many people as possible to, yes, hopefully increase the number of visitors to the Island.

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

This is following up from the previous question.

[10:00]

I am also interested for the public to understand what specific outcomes or benefits - the few main ones - does the Minister expect from the £2 million allocated both to Visit Jersey and Ports of Jersey? Will future funding be subject to performance review or clear conditions before they repeat next year?

Deputy K.F. Morel:

The Better Business Support Package was designed to be a 2-year package, and there is an expectation that there would be this additional grant for Visit Jersey next year as well. If they were to have failed in some ways against the expectations then maybe it would be reviewed but my understanding is that Visit Jersey is deploying the money as would be expected.

4.4.5 Deputy S.M. Ahier:

Marketing of Jersey as a tourist attraction has been increasingly underfunded and we need to raise our profile as a holiday destination. A lot of this funding has gone to promote the "Bergerac" TV series. Does the Minister have data to suggest that this has increased visitor numbers or could the money have been better directed?

Deputy K.F. Morel:

The decision to deploy any funding by Visit Jersey on to the "Bergerac" TV series was entirely that of Visit Jersey's. In their view, they believed it the best way to create an understanding and promotion of Jersey and so it was their decision. The concept with arm's-length organisations is that they are expert organisations who themselves decide where best to spend this money to best effect. So that decision was theirs. With regard to funding, I do believe we need to increase funding for Visit Jersey and for the tourism economy. That is something in the world where inflation, certainly advertising inflation, has been significant over the past 10 years. There is no doubt that there has been a diminishment in real terms in Visit Jersey's budget, and I will continue to work with fellow Ministers to try to find sources to increase their funding on a sustainable basis beyond these 2 years.

4.5 Deputy I. Gardiner of St. Helier North of the Minister for Children and Families regarding a Play Strategy for Jersey (OQ.213/2025):

Further to the adoption of Amendment 18 to the Budget (Government Plan) 2025-2028, which allocated funding to deliver a Play Strategy for Jersey, will the Minister provide an update on the progress made to date?"

Connétable R.P. Vibert of St. Peter (The Minister for Children and Families):

I have asked my Assistant Minister to answer his question as he has delegated authority for that area, and Deputy Gardiner has agreed to that.

Deputy M.R. Ferey of St. Saviour (Assistant Minister for Children and Families - rapporteur):

I thank the Deputy for the question. The Play Strategy remains on track for completion by the end of this year. Stakeholder consultations, including engagement with children and young people, were successfully concluded earlier this year. The strategy is being formed by a wide range of recent data and feedback from children and young people, including insights from the *Right to Play* report produced by the previous Jersey Youth Parliament. The initial draft of the strategy has been circulated to stakeholders for feedback and a review meeting held to discuss the first draft. The draft will then be presented to the School Council Network on 8th October to gather further input directly from children. Following this, revisions will be made and the updated draft will be shared again with stakeholders prior to finalisation and publication in mid-December.

4.5.1 Deputy I. Gardiner:

Thank you for the Assistant Minister and it is great news that it will be published in mid-December. Would the Assistant Minister advise what funding, if any, has been ring-fenced in the Budget 2026 specifically for delivering new and upgraded play spaces, which probably are envisaged within the strategy?

Deputy M.R. Ferey:

Once the strategy is produced there will be identified actions that will be taken forward with a steering and delivery group, and that will focus on internal resources and processes that could be used to create play spaces and inspire children and their parents or guardians to have more interactive play. But beyond that there is nothing specifically allocated monetary wise in the budget.

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

Following the Assistant Minister's last answer that there is no budget allocated to this, what is the expectation on the Parishes to fund the play facilities that have been identified? Has there been any direct consultation with the Comité des Connétables?

Deputy M.R. Ferey:

I thank the Deputy for that question. Yes, there was a presentation to the Comité des Connétables and there were certainly good soundings from all Parishes that there was a willingness to create play spaces and work with Government to do so. It is down to a question of what money is available and how we can work with other stakeholders to produce those play spaces. But there was certainly good interaction with the Comité des Connétables. On that note, we have also produced a map of all the available play spaces throughout the Island and shown their accessibility and what type of apparatus is involved in each of those play spaces.

4.5.3 Deputy H.M. Miles:

I thank the Assistant Minister for the answer. On the basis that there has been consultation, on the basis that there is no budget, can the Minister confirm that there is an expectation that the Parishes will need to fund the play equipment?

Deputy M.R. Ferey:

Yes, I think there is an expectation that there will be monies forthcoming, and of course each individual Parish has their own way of doing that. I know within my own Parish we are creating, or the Connétable will be creating, a play space as part of the development behind the Parish Hall. I think it is just getting that thinking involved in all developments of how play spaces can be incorporated into them.

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

It is really great to hear the progress on this. Part of the original plan was to have a dedicated play officer who could deliver the play strategy. Is this still planned as part of this strategy, and if not could the Minister explain why?

Deputy M.R. Ferey:

It is more to have a group of people who are ... we have lots of people in Jersey who are really passionate about play and how it helps young people develop. We have got lots of existing resource across government and in the wider community who are really keen to progress this work. We need to harness that enthusiasm, and that will be the throughput of the strategy is that we will have a group that carries forward on the play strategy and make sure that it delivers.

4.5.5 Deputy L.M.C. Doublet:

I thank the Minister for his answer, and I understand that the steering group will be critical. Does the steering group agree that no play officer is needed? If they have not been asked about this, could the Minister commit to consulting with the steering group about whether they think a dedicated play officer is necessary?

Deputy M.R. Ferey:

I will certainly take that back to the lead officer and we will take that forward in any future discussions.

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

From the previous question as well, which departments exactly or membership has the steering group leading on delivery of the play strategy, and how are they co-ordinating efforts considering that the expectation is the Parishes to fund it? Also, how is the intention to address both urban and rural needs for play spaces equally considered in all that?

Deputy M.R. Ferey:

The strategy delivery group does not have a terms of reference yet. That will be the throughput from the Play Strategy. All those pieces that the Deputy has highlighted will be in our thinking when developing a terms of reference for that group.

4.5.7 Connétable M.K. Jackson of St. Brelade:

While I commend the Assistant Minister for the strategy that he has instigated, would he confirm that my understanding is correct in that there is no funding coming from the Government to Parishes to implement the strategy as proposed?

Deputy M.R. Ferey:

That is currently the case, that is correct.

4.5.8 The Connétable of St. Brelade:

Will the Assistant Minister consider providing such funding to Parishes to enable them to instigate play parks to a greater extent than they are at the present, so that we can comply with the strategy as proposed?

Deputy M.R. Ferey:

I think that will need to be forthcoming in future budgets. These things will not happen on their own and they will not happen without funding. So, yes, that will have to form part of thinking of future budgeting processes.

4.5.9 Connétable K. Shenton-Stone of St. Martin:

I think the Assistant Minister will agree that the Parishes have been delivering and providing amazing playgrounds and play spaces. Are there any specific grants available to Parishes? We did receive a grant of £5,000 for our playground, which we are very grateful for. But the playgrounds and the Viking swing that we provided in St. Martin cost in the region of £150,000, so £145,000 we actually managed to provide via the donations, which is not an easy task. As this is a government policy, and all the Parishes pay the all-Island rate, which I think a lot of people are not aware of, do you think it is fair that this Play Strategy should be totally financed by Parishes who are all, speaking for St. Martin, quite strapped for cash and we all operate on a really shoestring budget. There was a will there and there is a way, we have got so many Parishes doing fantastic work ...

The Bailiff:

I think we do have to get to the final question, Connétable.

The Connétable of St. Martin:

I do not think it is fair of the Government to say they have a Play Strategy and then not offer any funds for the play equipment, thank you.

The Bailiff:

What was the question?

The Connétable of St. Martin:

Sorry, does he agree that it is not fair that the Government has a Play Strategy and actually does he agree that it would be better to put funding into the Parishes rather than have a play expert because we do have a lot of expertise in the Island anyway.

Deputy M.R. Ferey:

I do agree that this should be a joint initiative between Parishes and Government. That is the way it is going to work. The Connétable's own Parish is a great example of how funding can be sourced by philanthropists or other funds that want to support play for children and young people. I think it will be a number of funding streams that will come together to make this happen in the individual Parishes.

4.5.10 Deputy I. Gardiner:

Does the Minister agree that a good strategy must include a clear action plan, milestones, defined outcomes and measures of success and if they would be included in the coming strategy?

Deputy M.R. Ferey:

I think the Deputy has encapsulated exactly what a good strategy should contain. That is part of our thinking, to have all of those things in it, because otherwise it is not a strategy, it is just a wish list. It has to be grounded in reality. All those things that the Deputy describes make sure that it becomes manifest.

4.6 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Housing regarding the Updated Assisted Purchase Pathway Eligibility Criteria (OQ.216/2025):

Taking into account the role housing can play in Jersey's falling birth rate, will the Minister advise what plans, if any, he has to remove or amend section 3.4 of the Updated Assisted Purchase Pathway

Eligibility Criteria, which states that the size of home a person wishes to purchase should reasonably reflect the needs of the household at the time of application, and if no such plans exist, why not?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

The short answer to that is that I am very open to amending that part of the criteria. The longer version of the answer is that I am committed to adapting first-time buyer policies, which is referenced in page 8 of the Investing in Jersey programme. During my tenure as Minister for Housing, expanding eligibility for affordable housing has been something I have done, and something I have said publicly that I want to go further on at the moment when the supply of homes enables it. I am hoping relatively soon to be able to publish an evaluation of the steps that I have already taken so far in this regard and give greater clarity on the next steps than I have been able to give so far.

4.6.1 Deputy L.K.F. Stephenson:

In the name of greater clarity, can the Minister confirm if being open to this review would be part of that piece of work then?

Deputy S.Y. Mézec:

Absolutely, most definitely. I would go a little further than that and say that there will be quite a lot on the table as to what we can do to adapt our first-time buyer policies to make them more accessible. I have done things already during my tenure to make it easier for growing families to regain their first-time buyer status, to move up the ladder and smoothen those processes for them.

[10:15]

I think that there is more that we could do to have some kind of interaction with down-sizing too, to enable people who want to move into a smaller home, free up one for a growing family to move up into them as well. There are lots of good things that we can do, so I am just taking a bit of time at the moment to evaluate what the prospects are for enabling those various different things, including looking at the criterion that the Deputy has mentioned, and hopefully providing a bit more clarity in terms of timeline on when we feel we will be in a decent position to be able to do that.

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

The Minister may have answered some of what I was going to ask. It is really interesting to hear about that review. My question is going to be focused on the first-time buyer criteria within the scheme that the Deputy is questioning about. Could the Minister just give a little bit more detail about how that can be expanded, or indeed if it already is, by the sounds of the previous answer?

Deputy S.Y. Mézec:

It is a comprehensive policy and the point of it is to make sure that access to first-time buyer products and schemes is targeted as best as possible at those who need it so that we enable home ownership. We want to make sure that it is not so wide that anybody can get it and therefore those who most need the help are going to be struggling and competing for that, so there will always be some kinds of limits on that. The initial question from Deputy Stephenson is referring to bedroom needs where at the moment applications should be for a plus one need, which if you have not started your family yet would mean you would not be eligible for a 3-bedroom home, and that might be something that a family wants to do and able to plan to have children at some point. As I said in response to Deputy Stephenson's question, I am very open to looking at that. I just want to be careful that we do not offer any kind of false hope or end up widening things in a reckless manner that means people end up with their hopes and dreams not being met because there is so much demand at the wrong moment in time, et cetera. So I just want to be a bit careful about that kind of thing, about how we phase it in when we get to it.

4.6.3 Deputy L.M.C. Doublet:

Is the Minister going to consult on this and, as part of that consultation, will he look at different types of families, including potentially blended families?

Deputy S.Y. Mézec:

To be honest, no. I do not think that would be necessary and I think it would actually probably prolong the exercise. There are probably relatively quick wins we could establish without having some overbearing process that would slow me down in doing that. I have confidence that with an analysis of the supply of homes we have coming online in our affordable sector, that I could hopefully make positive steps in that direction without having to undergo that kind of process.

4.6.4 Deputy L.K.F. Stephenson:

I think I am right in saying that we have ended up in a situation in Jersey where all schemes have been tied up in the same criteria, and after the last Island Plan debate we even brought in Parish schemes under that same criteria. Does the Minister believe that going forward that is the right approach, to have the same criteria for everything, or might it be that there is flexibility and some could be available perhaps wider to certain types of people and some maybe not?

Deputy S.Y. Mézec:

I do not completely agree with the Deputy. There are some differences in some of the schemes. First Step, for example, did have further limitations on it that Andium Homebuy does not have in terms of past ownership property. Andium Homebuy does allow people to up-size whereas First Step was not for that purpose, so there were differences in that. I do not disagree with the Deputy that for particular kinds of scheme that offer particular kinds of support then, yes, you could have variability in that. It was not appropriate for First Step to have some of the flexibility that Andium Homebuy has because Homebuy was for homes that Andium was building whereas First Step was for homes in the secondary market. There was a rationale for that and where there is a rationale for having differences then of course I would be absolutely open to that.

4.7 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding the Sexual Assault Referral Centre in St. Saviour (OQ.221/2025):

Further to the allocation of project funding in the Proposed Budget (Government Plan) 2026-2029, will the Minister provide an update on the delivery of the Sexual Assault Referral Centre in St. Saviour?

Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

I thank the Deputy for the question. All planning and building control permissions are in place for the Sexual Assault Referral Centre. A procurement strategy has been agreed and formal tender documents have been prepared and are ready to issue. An expression of interest to local contractors will be issued in the next couple of weeks. Once the 2026 Government Plan is approved, we will be in a position to go out to tender. Allowing for the tender and approvals process to take place, it is anticipated that the works can start in February 2026.

4.7.1 Deputy L.M.C. Doublet:

I thank the Minister for her answer. I note that in the draft Budget funding for the S.A.R.C. (Sexual Assault Referral Centre) has been increased by £1.7 million in line with revised costings. Can the Minister please outline what those additional costings are?

Deputy M.R. Le Hegarat:

The additional costings basically are in relation to inflation increases.

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

Given that the costs have risen but extra money has now been proposed as part of the Budget, have any efficiencies in the project been targeted as part of that process and is the project being reduced or changed in any way in light of the extra costs?

Deputy M.R. Le Hegarat:

As far as I am aware, there are no changes in relation to the building.

4.8 Deputy A.F. Curtis of St. Clement of the Minister for Sustainable Economic Development regarding the Impact Jersey Innovation Programme (OQ.218/2025):

Will the Minister provide an update on the implementation and delivery of the Impact Jersey Innovation Programme, and outline any forthcoming initiatives to be delivered by the scheme?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

Impact Jersey is a scheme run by Digital Jersey on behalf of the Government of Jersey. The fourth programme to which the Deputy refers is the innovation programme. Since its launch on 26th June this year, the innovation programme has received over 40 inquiries. Of these we are aware of 11 which are in the final stages of preparing their applications for the judging panel's review. Digital Jersey anticipates that at least 4 of these applications, totalling £800,000, will be ready for the next panel meeting in early October. They are unable to provide any information on the applications until that judging process has been completed

Deputy A.F. Curtis:

Is it possible if the Minister could answer the second part of the question about forthcoming initiatives to be delivered by the Impact Jersey scheme?

Deputy K.F. Morel:

I am unable to provide information on that at the moment because I am unaware of their forthcoming initiatives.

4.8.1 Deputy A.F. Curtis:

The Minister highlighted the innovation programme as the fourth one. Has the Minister been in a position yet to evaluate with Digital Jersey the success of the first 3 programmes as they are currently either delivered or in delivery?

Deputy K.F. Morel:

The first 3 programmes which are the Open Programme 1, which Deputy Curtis is well aware of, the Customer Experience Technology and CareTech programmes have all taken place and £2 million of grants for 13 projects have been confirmed under those first 3 schemes. The innovation programme itself is a continuous programme allowing applications that meet any of the 8 strategic priorities as agreed by the Assembly but, as we know, they will be determined later this year. From that perspective, that is all I am able to update on here but it may be that I am able to provide further information outside of the Assembly.

4.8.2 Deputy J. Renouf of St. Brelade:

Is it the case that the Impact Jersey programme is being slightly reduced by money being taken back from the programme to fund Government initiatives through the Budget process?

Deputy K.F. Morel:

I think the way I would put it, and I understand there will be a wry smile, I would call it better management of the funds. This started back in the previous Government as well when it was understood that by just putting £20 million into a fund and leaving it there basically denies that parts

of that £20 million being used elsewhere in Government, so the intention has been to manage knowing at the same time that neither Digital Jersey nor the impact fund scheme could move £20 million in one year. The idea was that it would be better managed in that respect, which then does allow money to be made available to other purposes for public spending.

4.8.3 Deputy J. Renouf:

If I understood that answer correctly, it is simply a case of reprofiling the £20 million. Can the Minister confirm that the full sum will be eventually made available through the Impact Jersey programme?

Deputy K.F. Morel:

It is my understanding that that is the case. I will check as the Deputy is now making me doubt that, but I will certainly check. I am picking up on some wording here, a revised spend profile of the £20 million was agreed in 2024 and a review in 2026 will assess the next phases of the programme, and what transfers to the technology fund are needed for those future phases. So my understanding is it is still a £20 million fund that has been, as the Deputy said, reprofiled. I will double-check though, because I do not want there to be any doubt.

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

From the funding allocated so far to the Impact Jersey Innovation Programme, what measurable outcome or benefits have been achieved so far?

Deputy K.F. Morel:

My understanding is that we are still too early to see the exact overall outcomes, but I know, for instance, we have had drone technology that was funded in the first programme being used in rescues at sea. We have seen other technologies, such as, I believe, sensors being used to help people understand the use of utilities in their apartments being used as well. The actual assessment of each programme is ongoing. Because these programmes - all of them by their nature are young - none of the assessments, I believe, are yet completed but continue to be ongoing.

4.8.5 Deputy R.S. Kovacs:

What steps are being taken to ensure the long-term impact of projects support their growth beyond their pilot stage, and maintain public accountability by sharing successes and lessons learned?

Deputy K.F. Morel:

I believe that is part of the ongoing nature of the fund, is to report on an annual basis and to maintain public understanding of its work through that reporting.

4.9 Deputy D.J. Warr of St. Helier South of the Minister for Children and Families regarding an increase in the allocation of funds for the North of St. Helier Youth Centre (OQ.205/2025):

Further to the recently published Proposed Budget 2026 to 2029, will the Minister explain why there has been a 57.55 per cent increase in the allocation of funds for the North of St. Helier Youth Centre from the previously approved £10.237 million, to £16.129 million?

Connétable A.N. Jehan of St. Peter (The Minister for Children and Families):

I thank the Deputy for his question. The 2025-2027 Government Budget, as approved at the end of 2024, provided the initial estimated budget of approximately £10 million for the Ann Street youth centre capital build. I believe we were always clear that this was an early estimate and I think we have been open that additional funds would be required as the project developed. The funding requested in the 2026-2028 Budget is the original estimated budget with the additional revenue cost required to cover increased costs of construction across the industry, the Y.E.S. (Youth Enquiry

Service) project, which is to be located in adjacent premises, the old Belmont pub, together with staffing, utility costs and ongoing maintenance, cleaning and staff training costs. Everything is required to ensure that the centre, once open, can operate efficiently and effectively and comply with all health and safety regulations. To assure the Deputy, officers have been through a value engineering exercise and have reviewed the plans and made adaptations to the project as necessary. Indeed, they have removed some items from the project to reduce costs. The children and young people of St. Helier and the Island will be provided with a new youth centre that is built to the highest standards, that is fully functional, safe and an inclusive space for all young people from all backgrounds. This is about building more than just a structure. It is about creating a foundation for personal growth, community engagement and long-term social development. Indeed, over several decades there has been no ...

The Bailiff:

Minister, I am afraid I must ask you to bring your answer to an end. You have already gone 30 seconds over the normal allocation.

The Connétable of St. Peter:

Sorry, thank you, Sir.

4.9.1 Deputy D.J. Warr:

What reassurance can the Minister give to the Jersey taxpayers that they are getting value for money and that the final cost of building the youth centre will remain at the budgeted £16.129 million?

[10:30]

The Connétable of St. Peter:

I am confident with the value engineering that has been done that we can remain within the budgeted figure. Due to obviously commercial constraints, I cannot provide a breakdown of that figure although I think it would be possible, perhaps, to provide the Deputy with something in writing, which would remain confidential, if he is happy with that.

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

The Minister will know that we have had a number of exchanges around the development of the Le Squez Youth Centre and it is quite astonishing that £6 million can be found when we cannot find £4.7 million for the development of Le Squez. Will the Minister please revisit this decision and can he explain to the residents of St. Clement, who have waited over 10 years to have their request for investment considered, what he will do to confirm and assure them that this is a commitment he will still deliver on and that we will not have any more broken promises over the next course of the Budget?

The Bailiff:

That is perilously close to being outside the parameter of the question but I will allow it.

The Connétable of St. Peter:

I have to say I was about to comment on that.

The Bailiff:

No need. That is all right.

The Connétable of St. Peter:

You have done so, Sir, so I will be fairly brief. I would say that the children of St. Helier have waited far longer than 10 years for a youth facility. My recollection as a teenager was of at least 4 youth centres in St. Helier, all of which have closed. We are committed to Le Squez. I am prepared to

confirm that. However, I will not revisit the decision that the St. Helier youth centre has to come first. In the scheme of things, if we were to develop Le Squez prior to the St. Helier youth centre, we could find ourselves in a situation where both the children of St. Clement and St. Helier had no youth facility.

4.9.3 Deputy K.M. Wilson:

I am sorry if I offended the Minister and the Assembly with that question but one of the things that is very frustrating is that there is or have been promises about the development of the youth centre and the residents are talking to me about whether this will ever happen.

The Bailiff:

Deputy, you do have to just ask a question. You are now explaining why you said what you said before. It would be helpful if you could just pose a supplementary question, if you have one.

Deputy K.M. Wilson:

Will the Minister please give some detail as to what will be committed to in the Budget around the Le Squez Youth Centre?

The Connétable of St. Peter:

Sir, I have to say this is a supplementary about a question that we originally were sceptical was relevant to the initial question. I believe there are monies in the Budget for ongoing maintenance of the Le Squez Centre but there are not funds for the development. I think we have made it clear that that will be a future project.

4.9.4 Deputy J. Renouf of St. Brelade:

In his original answer the Minister referred to a long list of reasons why the costs have increased, which included things that to my ears sounded like running costs, maintenance, staffing and so on. Can he confirm that the capital cost estimates have gone up 50 per cent within the last year?

The Connétable of St. Peter:

The increases, as I have already explained, are partly due to the incorporation of additional build, which is the Y.E.S. centre. As I said before, due to commercial constraints, I am not going to give a detailed breakdown of the figure in the Budget, so I will leave it at that.

4.9.5 Deputy J. Renouf:

What confidence can the Assembly have in the Minister's assurances when he has just said that costs have gone up 50 per cent in a year and earlier he said he did not think they would go up any more? Why should we have any confidence that that assurance would be met?

The Connétable of St. Peter:

I think I answered that earlier. They have done a value engineering exercise on the total project now. A year ago we were looking at the very early days of the project and what might be incorporated and we were looking at a youth centre. They have now done a value engineering exercise on the total project and I have confidence in our officers and their ability to predict the costs and I see no reason at this point why we would exceed those.

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

The Minister has cited commercial sensitivity. Could he confirm whether there is an agreed delivery partner and, if so, at what point the commercial sensitivity should lift?

The Connétable of St. Peter:

The commercial sensitivity would lift, of course, when the final negotiations are completed with that partner. Yes, there is a preferred partner, hence the extensive value engineering exercise, but I cannot give an exact date. However, as I said, I am happy to share information with Deputy Warr who asked the question.

4.9.7 Deputy A.F. Curtis:

Can the Minister say whether the delivery model is that a single partner is intended to deliver the entire £16 million capital or whether the project is to be delivered in part by the department and other delivery partners, hence the need for commercial sensitivity, which I think many of us are trying to get to the bottom of?

The Connétable of St. Peter:

I can confirm there is a single delivery partner and that is really as much as I can confirm at this point.

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

In 2024 there was a £3.5 million budget allocated for the Le Squez youth club, which has now been withdrawn by the Minister. Could the Minister confirm whether that money has been transferred to the St. Helier project or what has happened to it?

The Connétable of St. Peter:

Like many things in previous budgets, new projects come along. In the scheme of things, there was money originally allocated for the St. Helier youth centre, which then went on to be used for other items. In effect, there was £3.5 million. It is difficult to say whether it has actually been transferred to this project because, as with everything, budgets move, funds get reallocated, just as happened to the original funds for the St. Helier youth centre.

4.9.9 Deputy K.L. Moore:

I am a bit stuck because there are so many questions to ask after that non-answer really. As we approach the forthcoming Budget debate in December, what assurance can the Minister give that he and his fellow Ministers will be held to account for delivery in the items that are agreed in that Budget, given his previous answers? I would also like to remind the Constable that it is part of his duty as a Minister to come to the Assembly fully briefed and on top of his brief.

The Connétable of St. Peter:

Well, I really do not think I need reminding of that, but there we are. I have given assurances about this project in that we have done an extensive value engineering exercise. I am confident of the figures that have now been produced. My answer can only relate to the original question, which was about the specific item in the Budget.

4.9.10 Deputy D.J. Warr:

I guess this is the obvious question, is it not? Can the Minister confirm that a price has been agreed to purchase the old Ann Street building?

The Connétable of St. Peter:

I think that is still part of that commercially sensitive information but, as I have said to the Deputy, I am happy to share that with him in a confidential written reply.

Deputy D.J. Warr:

Sorry, was that question answered? I said has it been agreed.

The Bailiff:

It was answered with it is not going to be answered because it is part of the commercially sensitive information. How the Assembly views an answer or not is a matter for the Assembly, but it has been answered.

4.10 Deputy T.A. Coles of St. Helier South of the Minister for Sustainable Economic Development regarding a planning approach referred to in a speech to the Chamber of Commerce (OQ.207/2025):

Further to his recent speech to the Chamber of Commerce, will the Minister outline his priorities in relation to the new planning approach, which will see economic impact being taken as a key consideration in the determination of future planning applications?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I am really pleased to have been working with my colleague, the Planning Minister, on this joint approach, which is to ensure that in both the short and long-term creative economic consideration is given to planning decisions. In working with my fellow Minister, I am pleased that my department is also aligned with planners to improve advice for decision makers. This is a staged approach, ensuring economic weight is given to applications while also assessing processes to improve outcomes for businesses and eventually ensuring that the next Island Plan becomes a framework that better supports future sustainable economic growth. There is no doubt that this is a joint effort with success being dependent on the quality of inputs, the clarity of process and the strength of shared understanding. The focus is on the quality of evidence provided by applicants, the formal economic input from the Department for the Economy and the understanding of economic factors and outcomes by planners when factors are being balanced and decisions are being made. The most obvious, most visible example of this work, is in the online planning hub that has recently been launched.

4.10.1 Deputy T.A. Coles:

I did not necessarily hear a key priority for the Minister there. One of the challenges we face on the Planning Committee is evaluating the proof of redundancy that is made for a change of use or a removal of employment land. Can he confirm that his department or indeed Jersey Business will be well informed to be able to make decisions based on maintaining things like light industry?

Deputy K.F. Morel:

It is really important that my department is not involved in decision making. My department is involved in providing advice that then the Planning Department and the Planning Committee, and ultimately the Planning Minister, are able to take into account when making their adjudications. The joint approach has 3 main areas: the input and impact, approaching on immediate actions and responses and ensuring that economic factors are given material weight in the planning process; the processes themselves, addressing the systems and mechanisms that support consistent and informed decision making, and I think that is where the matters that the Deputy refers to would fit in; and that strategies are forward looking, shaping the long-term vision and embedding economic thinking into planning policy and practice. From that perspective, information that the Planning Committee would be provided with by the Department for the Economy would be used by the Planning Committee in their considerations. With regard to the matters that the Deputy refers to directly, I am not sure that the Department for the Economy itself would necessarily, although it could, talk about whether sufficient advertising and publicity had been given to a particular property with regard to a planning application. That is something that we absolutely can look at but I know it is something that is difficult to determine.

4.10.2 Deputy J. Renouf of St. Brelade:

Does the Minister accept that the Bridging Island Plan includes multiple references to the need to consider economic impact in it? Therefore, can he identify exactly what is lacking in the process at

that moment that has gone wrong, given that that mechanism is already very strongly embedded in the Island Plan?

Deputy K.F. Morel:

I must disagree with the Deputy in that I do not believe that economic consideration is sufficiently embedded within the Bridging Island Plan. I do note that the Bridging Island Plan itself made no new sites available for economic use. Certainly from the perspective of policy, while there are policy matters that talk about economic consideration, I think there has been a job of work to be done, which we have done with the Planning Minister and his team, to help Planning officers understand the nature and meaning of economic considerations.

[10:45]

4.10.3 Deputy J. Renouf:

Given that answer in particular, does the Minister accept that there is a risk that this might be seen as an attempt not to add balance but to make economic factors trump environmental factors within the system? What will he do to ensure that that is not the case?

Deputy K.F. Morel:

I think the planning law, the Bridging Island Plan makes very clear the many considerations they take into account. I do accept that with any piece of work where you are trying to bring something up the agenda, which is effectively what this is, in theory you can go too far. It could be seen that economic matters are being taken too much into consideration. That is part of the political balance. That is one reason why we have the Planning Committee. My department is working to help provide advice and understanding. It is not working to make decisions. It does in itself not make decisions. That is down to the Planning officers, the Planning Committee and the Planning Minister. They take the advice provided and it is up to them how they interpret it. Obviously the balance of considerations is always that it is political and it is in the minds of the people making those decisions on the day but I personally, at the moment, am not concerned about it being overly taken into account because, at the moment, economic matters are fairly taken into account in planning considerations.

4.10.4 Deputy T.A. Coles:

Would the Minister like to see either the Department for the Economy or Jersey Business become a statutory consultee so when matters of economy are required they are taken firmly into consideration?

Deputy K.F. Morel:

I must admit that is something I think should take place. I do believe the economic impact of almost any site - it could be residential housing all the way through to a new laboratory or something - is important and I believe should be taken into account. Therefore, I can see there is a strong case for making, as the Deputy said, either Jersey Business or the Department for the Economy a statutory consultee.

4.11 Deputy M. Tadier of St. Brelade of the Chair of the States Employment Board regarding the recent ruling of the Employment and Discrimination Tribunal regarding the dismissal of a member of staff in Revenue Jersey (OQ.222/2025):

Further to the recent ruling of the Employment and Discrimination Tribunal regarding the dismissal of a member of staff in Revenue Jersey, will the chair confirm why the States Employment Board has sought to appeal this ruling? Does he consider it a good use of public resources?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (Chair, States Employment Board):

Sir, with the consent of Deputy Tadier, the vice-chair will take the question.

Deputy M.R. Ferey of St. Saviour (Vice-Chair, States Employment Board - rapporteur):

I thank the Deputy for the question. As this matter relates to a private individual and a still live appeal process, it would not be appropriate or fair to share specific details. I can confirm, however, that the decision is being appealed on procedural issues. New allegations were raised after the States Employment Board had filed evidence and written arguments and there was subsequently no opportunity to address the points that were raised. The points are being challenged in order to avoid setting a precedent in employment matters and to ensure that the interpretation and application of the legislation is clearly understood by both employers and employees. There are wider implications of this case and this is why it is considered to be an appropriate use of public resources to proceed with an appeal.

4.11.1 Deputy M. Tadier:

Of course this ruling is in the public domain and I do have the permission also of the constituent of mine to speak and ask this question. Does the Minister accept that what we are talking about here is that he does not accept the ruling of the Employment Tribunal? The States Employment Board did put it to them that the condition that they were saying for stress being considered, and in fact the mental impairment here, which they upheld in the case of my constituent, meant that the S.E.B. position was rejected. Does the vice-chair of the tribunal not agree that this is a case of the Government not accepting a very clear finding of the tribunal and it is going to result in increased trauma and anguish for my constituent and her husband to go through what has already been months of suffering simply because they cannot accept a ruling of a body that he has voted on himself?

Deputy M.R. Ferey:

I think first and foremost our intention is not to cause any further distress to the ex-employee, but there are 2 issues here. Firstly, there is procedural unfairness and, secondly, there is setting of precedent. I think employers need to fundamentally have a good understanding of how they manage sickness absence and the definition of disability. It is very unusual for stress to be considered as a disability and that is what we are appealing against. Also an occupational health doctor did not class stress as a disability and considered that the employer had put everything in place to make sure that the employee was properly supported. There is also a case of procedural unfairness where the tribunal found against the employer because they said it was disproportionate not to have offered the employee an alternative role elsewhere in Government. This was a new allegation after the raising and filing of our evidence and written arguments and the tribunal did not give us the opportunity to rebut this, which we consider to be procedurally unfair.

4.11.2 Deputy J. Renouf of St. Brelade:

Can the Minister therefore confirm that the issue at stake is point 166 in the ruling by the tribunal, which says that: "While stress may not amount to a mental impairment in every case, the tribunal has found that, based on the symptoms of the claimant's stress in this case, it did"? In other words, is the reason why this is being appealed because the Government do not accept that ruling?

Deputy M.R. Ferey:

That is correct.

4.11.3 Deputy J. Renouf:

Can I also, therefore, clarify with the vice-chair, has he been subject to any lobbying by business groups to try to clarify this process so that the Government will clarify this from the point of view of businesses?

Deputy M.R. Ferey:

I have not been approached by any lobby groups or any individuals in relation to this case.

4.11.4 Deputy M. Tadier:

I found it curious at a business breakfast the other day that the business community were talking about stress being a new factor and the penny did not drop that it was related to this case until now. Does the Minister accept that he has misrepresented the position of the tribunal? The tribunal say that stress on its own does not constitute necessarily grounds for discrimination, or indeed a protected characteristic, but in this case the claimant had been proven to have a mental impairment and that there were also wider considerations of anxiety, panic attacks, low mood, difficulty sleeping that all played into this fact. Simply, the S.E.B. did have sufficient opportunity to rebut those cases and that there is nothing procedural here but that the S.E.B. is coming under pressure from the business community and possibly from its own H.R. (human resources) processes that they simply do not agree with the findings of an impartial tribunal that we have appointed as a States body. If that is the case, should it not be that the S.E.B. should be seeking to bring an amendment to the law as to what can constitute a characteristic under discrimination?

The Bailiff:

That was an extremely long question but we are ...

Deputy M. Tadier:

Thank you, Sir, but others have been indulged this morning.

The Bailiff:

Yes, perhaps I have been overly indulgent, that is true, but also it is beginning worryingly to drill into the details of the case, which is in effect, while it is before the court, sub judice. I think it would be helpful, given it is too late to call back some of the information, in any answer if you would be as succinct as you are able to be.

Deputy M.R. Ferey:

I maintain the position of procedural unfairness and setting a precedent and that is why we are appealing this decision.

4.12 Deputy J. Renouf of St. Brelade of the Minister for Social Security regarding the Government grant to the Social Security Fund (OQ.210/2025):

Will the Minister advise what work was undertaken prior to the publication of the Proposed Budget (Government Plan) 2026-2029 to ensure that the Government grant to the Social Security Fund could be reduced without damaging the ability of the fund to meet its future commitments and explain why, given the scale of the reduction, the next actuarial review was not brought forward to inform the budget decision?

Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

The Proposed Budget includes a temporary reduction in the States grant to the Social Security Fund until 2029. Detailed estimates were prepared by Treasury and considered at length by the Council of Ministers prior to the publication of the Budget. The estimates that appear on page 91 of the Budget document show that the temporary reduction will not damage the ability of the fund to meet its future commitments. The Social Security Reserve Fund balance is expected to increase to £2.5 billion at the end of 2025 and to £3 billion at the end of 2029. The periodic actuarial review of the fund is a detailed and time-consuming piece of work designed to support longer-term policy decisions. The reviews are scheduled to give each Government the most up-to-date information possible on long-term trends and it would not be appropriate to move this timetable due to a proposal for a temporary reduction, which does not have a long-term impact on the fund.

4.12.1 Deputy J. Renouf:

The Budget proposes temporarily reducing contributions by a quarter of a billion pounds over 4 years after which Government contributions will revert. However, the spending, which the withheld

contributions are funding, is ongoing expenditure in health, education and childcare. How can the future viability of the fund survive when exactly the same pressures as are present now will be present in 4 years' time?

Deputy L.V. Feltham:

The pressures may be similar or the same but the solution may well be different. As discussed in my quarterly Scrutiny hearing last week, officers and the actuaries are going to review options for the Social Security Fund to help the next Government develop a long-term strategy for it, given the demographic changes taking place and wider pressures on Government finances. This will be ready by July 2026 so that it is available for future consideration for future Budgets.

4.12.2 Deputy I. Gardiner of St. Helier North:

I thank the Minister about temporary measures but why was the one-off £50 million, another temporary measure reduction to the States grant to the Social Security Fund for 2025, requested in this Budget retrospectively and what assessment has been made?

Deputy L.V. Feltham:

Again, this is a one-off reduction and is not considered to damage the ability of the fund to meet its future requirements. In considering matters to do with the Budget, there was robust discussion around the table of the Council of Ministers. I am not a quiet member of that Council, so I did give good challenge, I believe, to the Treasury to give myself assurance that the temporary change being made would not affect the future long-term ability of the fund to meet its requirements. We have to remember that the grant going into the fund is taxpayers' money and it was more appropriate, in my view, that taxpayers' money was used to fund the things that we have chosen to fund rather than it go into an overperforming fund.

4.12.3 Deputy I. Gardiner:

We have another one-off and now we are having 5 years reduction of the grant. Would the Minister consider that this major policy decision on reducing the States grant for 5 years would benefit from conducting the actuarial review, that is scheduled for 2026, now and to present to the Members of the Assembly the health of the fund before making a major decision on the reduction of 5 years going forward?

Deputy L.V. Feltham:

The health of the fund and the estimates for the next 4 years are indeed in the Government Plan document and available for all Members to see. I must remind Members that changing the amount of money going into the grant is subject to a proposition that I will bring to this Assembly and that is for a one-off change and not an ongoing change beyond the time of this particular Government Plan.

4.12.4 Deputy J. Renouf:

The spending in the Budget is long term but the funding mechanism is time limited. What does it say about Jersey's reputation for fiscal prudence that we are committing to long-term expenditure without any idea of how we will meet that commitment and simply dumping the problem into the next Government's lap?

[11:00]

Deputy L.V. Feltham:

We have very immediate needs in areas such as residential childcare that need funding. In my view, I think taxpayers want us to meet the needs of our community and when looking at where to meet those needs in the short term, reducing the grant to the Social Security Fund appeared to meet the needs of our community in a much better way than not reducing it. As I have said in my previous

answers, we have requested additional advice from the actuaries, which will be available to inform the future Government and long-term decision making.

Deputy J. Renouf:

Point of order, Sir. The question was: what does it say about Jersey's reputation for fiscal prudence that we are committing to long-term expenditure without any idea of how we will meet that? The Minister answered the question why it is a jolly good idea to divert the funds, not the question of what it does to our fiscal reputation.

The Bailiff:

I think that is probably a fair point, Minister, so if you would like to answer that particular question, do so.

Deputy L.V. Feltham:

I think using taxpayers' money in the way that we have proposed is the most fiscally prudent thing to do at this point in time.

4.13 Connétable K.C. Lewis of St. Saviour of the Minister for External Relations regarding the European Union Entry and Exit System (OQ.212/2025):

Will the Minister advise the potential implications for Islanders of the European Union Entry and Exit System, which is due to begin a rolling implementation across European countries from 10th October 2025?

Deputy M.E. Millar of St. John, St. Lawrence and Trinity (Assistant Minister for External Relations - rapporteur):

Sir, I am answering in Deputy Gorst's absence.

The Bailiff:

I assumed that must be the case, yes.

Deputy M.E. Millar:

I thank the Constable for his question. When British national travellers use the new system for the first time they will be required to register in the European Union Entry and Exit System, or E.E.S. This will require facial images and fingerprints to be supplied at the border. E.U. (European Union) entry points are expected to phase in gradually the registration process over some 6 months to avoid lengthy delays. E.E.S. registration will be valid for 3 years. Information for the public is published on Government of Jersey and U.K. Government websites. Ultimately implementation of the E.E.S. is a matter for the European Union and its member states and is subject to ongoing E.U. legislative processes.

4.13.1 The Connétable of St. Saviour:

This will also apparently include children under 12, who will not be required to have their fingerprints scanned but will still need their faces scanned. My question is: will Jersey be providing E.E.S. terminals at the harbour and airport in the not too distant future?

Deputy M.E. Millar:

I do not know the answer to that question. I had assumed that the terminals would be at the point of entry in the E.U. and not in Jersey. I am sorry, I do not know the answer to that.

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

Given the introduction next month of the European Union Entry and Exit System for non-E.U. nationals, the upcoming European Travel Information and Authorisation System for non-E.U.

travellers, the existing U.K. Electronic Travel Authorisation and the introduction of the Jersey E.T.A. scheme, what steps will the Minister take to ensure Jersey residents of all nationalities receive clear, accessible and practical guidance on which authorisations or registrations will be required for their travel to prevent confusion between the systems?

Deputy M.E. Millar:

As I say, information will be published on the Government of Jersey website and it will also be available on U.K. Government websites.

4.13.3 Deputy R.S. Kovacs:

Given the confusion of all these systems coming all at once, would it be published on social media and engage with the public to be aware of it?

Deputy M.E. Millar:

I am sure there will be a full communications plan in due course to the extent it affects Jersey residents. There will be people in Jersey who have E.U. passports for whom it is really not an issue, but if we are talking about British and Jersey travellers, we will have information for those people. I assume it is not going to be too much different from using the electronic entry gates at Heathrow or Gatwick, for example, when you come in from international destinations, and I am sure I am not the only one who has been fingerprinted going into other jurisdictions, so I think lots of people will be familiar with that by now.

4.13.4 The Connétable of St. Saviour:

How we lament travelling over to Carteret for a day trip on a friend's boat for lunch, needing nothing more than a friendly wave from the harbour master. Big Brother has arrived, I am afraid; George Orwell was right.

The Bailiff:

Is that a question?

The Connétable of St. Saviour:

Yes, Sir. We will also in the not too distant future, a year's time, need an E.T.I.A.S. (European Travel Information and Authorisations System) which is also a visa requirement. Is the Minister aware of this and again will facilities be put in place, the question being has the Minister been informed when Jersey will be required to start the E.T.I.A.S.?

Deputy M.E. Millar:

I am afraid I have no information about any visa scheme. The question was just about the E.E.S. and that is all the background I have at this stage.

4.14 Deputy I. Gardiner of St. Helier North of the Minister for Housing regarding waiting times on the Housing Gateway (OQ.214/2025)

Further to his answer to Written Question 334/2025, will the Minister provide details on what plans, if any, he has to ensure that the 56 families with children in band 1 of the Housing Gateway are not left waiting indefinitely for secure housing? Will he commit to establishing measurable targets for reducing waiting times on the Gateway?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

The 56 families in band 1 on the Gateway will not be left waiting indefinitely for secure housing. Most of those 56 are already in social housing, so while their housing may not be appropriate or adequate, it can at least be secure. A third of them are looking to downsize; 70 per cent of them have had an offer made to them at some point but for whatever reason it has not been able to be accepted;

and 20 per cent of those are families who have specific needs, which of course will take longer to be able to assist them with. Any family that is in an insecure housing situation should be receiving support from the Housing Advice Service to help them establish a pathway to a permanent home. In respect of the general suggestion of targets on waiting times, the tangible measures that we are taking now will be reducing waiting times. That comes in the investment that there has been in the last 5 years in the Housing Advice Service, which works directly with people to help them into permanent homes. Andium has recently scrapped the choice-based letting system, which enables them greater discretion to be able to find appropriate homes to directly offer those who are waiting for them and who need them. All of this happens with the backdrop of the much greater supply of family-sized homes that has been a great focus for me during my tenure. I can say that since Le Grand Douet opened on the former Mayfair site, that everybody on band 1 of the Gateway, except for those with specific needs for whom that site would not be appropriate, has been made an offer of housing. I take the political view that I would prefer to use the limited resources I have to enact tangible policies that we know will have an impact rather than to divert those to create new bureaucratic processes.

4.14.1 Deputy I. Gardiner of St. Helier North:

While the new development time pipeline is really welcome and I understand that the Minister recognises many families cannot wait 4 years, what interim measures ... or can the Minister confirm that children will not continue to go into hotels? We currently have 15 families in hotels with children. Are they continuing to stay there and for how long?

Deputy S.Y. Mézec:

Since that question answer was published, it is now 11 that are being housed in hotels, but I should say to the Deputy that they are not put in hotels because of a shortage of social housing or because of any kind of long-term difficulty in finding those homes. Those are only ever used for dynamic situations where it is a very temporary stopgap because of something that has happened. That might be a discharge from hospital or that might be an immediate case of homelessness where a set of keys for a new social rental home cannot be immediately found on the spot but may take a few days. That is always a very dynamic situation and not a long-term situation to mask some kind of shortage in social housing.

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

I note from the answer to the written question referred to in this question that 37 of those 56 families are single-parent households. Can the Minister respond to how those families are being prioritised, given that single-parent families pose disproportionate impacts in other areas?

Deputy S.Y. Mézec:

Every household situation will be unique and I cannot speak to every single one of those cases that the Deputy has raised. I can refer back to the figures that I gave previously, which is that some of those will likely be those who are looking to downsize, in which case their housing is secure for the time being. It would just be more appropriate for them to be living elsewhere and then that frees up a chain for another family to move up who may well be one of the other 56 on there. With the opening of Le Grand Douet site, many of those will have received offers recently. As I said, as every household situation is unique, I would perhaps need to give a bit more thought if there are any of those cases that are requiring extra support, but we do now have a Housing Advice Service, that did not exist 5 years ago, that is in a much better position to offer that support than we were in a place previously.

4.14.3 Deputy L.M.C. Doublet:

If the central issue is one of supply, would the Minister consider asking Andium to look at purchasing some of the many properties that are currently on the open market to help deal with the supply issue?

Deputy S.Y. Mézec:

I think that is a very good idea. We have done this recently where, working closely with the Minister for Social Security, we were able to work with Andium to enable them to purchase homes on the open market to help meet a specific need in housing that they were not able to meet within the rest of their stock. We need a diversity of homes. A block of flats is not appropriate for every single household makeup, so we have some precedent very recently of doing that and I am absolutely openminded to doing more of that, definitely. We just need to work out a scheme and work out funding to make it happen.

4.14.4 Deputy I. Gardiner:

The second part of the answer. Does the Minister accept that without clear waiting time targets Islanders cannot hold Government to account on progress? I understand that it is complex but would the Minister consider at least publishing indicative benchmarks to show how progress is made?

Deputy S.Y. Mézec:

I can consider that and I am at the moment looking at whether the updates that we provide on Gateway statistics could be made richer and provide more detail in the picture of how things are, but that is something I can do. I do reiterate the point I made previously that I am the kind of politician who prefers to focus on tangible actions that we know will make a difference. It is always going to be the case that when you provide blanket statistics that cover lots of very unique situations you will not necessarily get a great picture of what is actually happening. That can end up being diversionary, so I prefer the strategy that I have at this moment.

4.15 Deputy L.M.C. Doublet of St. Saviour of the Chief Minister regarding the voluntary pay gap reporting framework (OQ.223/2025):

Will the Chief Minister detail the progress being made in implementing the voluntary pay gap reporting framework and advise whether this is proving to be effective in tackling them, including those relating to gender, ethnicity, disability and any other such pay gaps identified?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

I understand Deputy Alves is taking the question.

Deputy C.S. Alves of St. Helier Central (Assistant Chief Minister - rapporteur):

The Government remain committed in their efforts to encourage and make it as easy as possible for the private sector to report voluntarily on their gender pay gap. That includes making available a voluntary pay gap reporting framework. To achieve this, the Government have continued to work closely with the Institute of Directors and Mind the Gap Jersey. Jointly, a structure for guidance and a toolkit have been agreed upon and this structure complements the reporting systems already in place by Government and Statistics Jersey. The agreed structure has formed the basis of Mind the Gap instructions given to their Scottish counterparts and they are currently in the process of writing the guidance and framework for Jersey and it is anticipated it will be completed by the end of October. Once reviewed, the Government and the I.o.D. (Institute of Directors) and Mind the Gap will review it and work jointly on promoting and encouraging businesses to report their pay gap as well as providing narratives and action plans each year. The scope of this work has focused solely on the gender pay gap and has not addressed areas of ethnicity or disability.

[11:15]

4.15.1 Deputy L.M.C. Doublet:

I thank the Assistant Minister for her answer. It is really good to hear that progress is being made on this to encourage businesses to use this template. When the template is ready, hopefully there will be some comms from Government to promote it. If the Minister could confirm that and also where

can those companies send their pay gap reports to? Will there be a central email address or somewhere where that can be collected by Government?

Deputy C.S. Alves:

I can absolutely confirm that there will definitely be some comms going out about that, and I am happy to confirm that. The data has historically been published within annual reports of each organisation. I know that is not always easy to sift through, so I am happy to maybe find a solution to try to centralise that and maybe make some space on the Government website in order to publish that.

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

What additional support or incentive is the Government providing to encourage more organisations to participate in the voluntary reporting framework?

Deputy C.S. Alves:

We hope that by having the I.o.D. on board and the Mind the Gap group that this will provide a way to help encourage other companies to do this. We also know that we have some specific organisations that already report on their gender pay gap, like our arm's length bodies and shareholders: Andium Homes, Jersey Post, Jersey Telecoms, Ports of Jersey and the States of Jersey Development Company. I would like to think that good companies will see this as an opportunity for good publicity and hopefully that will encourage others to follow suit, but we are always openminded and welcome hearing any suggestions in order to help.

4.15.3 Deputy R.S. Kovacs:

Is there a plan to review or expand the framework to include other types of pay gaps such as those based on age or caring responsibilities? If so, on what timeline?

Deputy C.S. Alves:

That is not something that is currently being looked at. The Chief Minister made a commitment to the gender pay gap, but I think that is an area that should be looked at probably in the next political term. I will say that Social Security are in the early stages of some engagement with the private sector in relation to potential unemployment of various groups, including those with disabilities, but that work is very much in the early stage at the moment.

4.15.4 Deputy L.M.C. Doublet:

Is there going to be a tipping point whereby if this voluntary reporting does not result in companies voluntarily reporting, what is the tipping point of, say, the percentage of companies over a certain size that the Minister believes should be voluntarily reporting and if they do not, that we would need legislation?

Deputy C.S. Alves:

I think we just have to wait and see what happens. Obviously we have only got 9 months, is it, left of this political term? I suspect that the new Assembly and new Government will probably be looking at this and hopefully revise it. Obviously we have been discouraging against legislating for it because of the costs associated with that and also the added burden that that puts on to businesses, which was part of the Common Strategic Policy. One of the things in that was about reducing as much bureaucracy to businesses as possible, but I take on board the Deputy's comments and I hope that maybe the next Government will be able to provide some tipping point, but we will just have to wait and see for that.

4.16 Deputy A.F. Curtis of St. Clement of the Minister for External Relations regarding a communications plan on the workstreams for sharing data with Credit Reference Agencies (OQ.219/2025):

I understand the Assistant Minister will be answering in lieu of the Minister. Further to the Minister's commitment, during Questions without notice on 8th July 2025, to developing a communications plan on the workstreams for sharing data with credit reference agencies, will he advise what actions, if any, have been taken to progress this, and provide the current timeline for the plan's publication?

Deputy M.E. Millar of St. John, St. Lawrence and Trinity (Assistant Minister for External Relations - rapporteur):

I thank the Deputy for his question. An update on the credit reference agencies workstream, which was promised by the Minister for External Relations during Questions without notice on 8th July, has now been approved by the Minister and is due to be published on the Government's website either later today or tomorrow.

4.16.1 Deputy A.F. Curtis:

Can the Assistant Minister confirm whether this is a webpage that her department and the Minister's department will be able to update with progress as and when it happens so that members of the public do not have to go to States Members for updates and they can access a website and find information as and when it becomes available?

Deputy M.E. Millar:

I would assume so, yes.

4.16.2 Deputy J. Renouf of St. Brelade:

Would it be fair for the Assembly to conclude that the asking of this question prompted the speedy publication of that?

Deputy M.E. Millar:

No, I think there have been some technical and legal issues with progressing this piece of work. Those issues are being addressed in parallel and work is continuing at pace.

4.16.3 Deputy A.F. Curtis:

Could the Assistant Minister confirm that her officers will share with me and States Members, who I am sure will be very interested, the link to the webpage as soon as it is live so they can share with their constituents?

Deputy M.E. Millar:

Yes, I will ask the team to share that with States Members.

4.17 Deputy D.J. Warr of St. Helier South of the Minister for the Environment regarding PFAS (per- and polyfluoroalkyl substances) related medical assessments (OQ.206/2025):

Will the Minister advise what measures, if any, will be recommended to individuals who have undertaken P.F.A.S. (per- and polyfluoroalkyl substances) related medical assessments, resulting in intervention with medication or therapeutic phlebotomy to assist in minimising the possibility of ongoing exposure to P.F.A.S.?

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

As a result of report 3 from the Independent P.F.A.S. Scientific Advisory Panel, individuals who are eligible for P.F.A.S. clinical review are currently receiving, as the Deputy would think, individual and personalised advice from a doctor at the P.F.A.S. Clinical Service about the intervention and its effects. Report 4 from the panel is considering P.F.A.S. exposure across the whole Island, including

environmental factors such as mains water supply, private water supply, food sources, soil, biosolids and other environmental factors. The specific recommendations in that report to reduce the amount of P.F.A.S. in the body will follow. That report will cover all Islanders and the report will not specifically target medically-assessed Islanders, who will be under their own clinical supervision from the P.F.A.S. doctors, but I am sure report 4 will have a great input for those doctors and provide them with more information as they treat these patients.

4.17.1 Deputy D.J. Warr:

I thank the Minister for his answer. I have got a report here, which is that the Jersey community blood test results for 2024 showed that 60 per cent of Islanders tested have a level that would warrant treatment according to the level the panel have deemed needing treatment. That 60 per cent is also not on borehole water. What does the Minister recommend these people should do?

Deputy S.G. Luce:

People should, if they are worried about P.F.A.S., contact the department. People who are under clinical review will follow the doctors' clinical advice, but I take the Deputy's point on board. I think in the first instance the people who have evidence of high P.F.A.S. levels need to speak to officers in my department and the Public Health Department about how they move forward. Certainly we are continuing to prioritise people with blood tests where they are required.

4.18 Deputy J. Renouf of St. Brelade the Chief Minister regarding the formal recognition of the UK Government of the Palestinian State (OQ.220/2025):

Further to the decision by the U.K. Government on 21st September 2025 to formally recognise the Palestinian state, will the Chief Minister advise whether the Government of Jersey support this decision and the comments made by the U.K. Prime Minister in condemning the attacks by Hamas and the actions by Israel in Gaza and the call to lift unacceptable restrictions on aid?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

Members will be aware, under the terms of Jersey's constitutional relationship, that matters of foreign affairs are aligned with those of the United Kingdom. That said, the people of Jersey, like so many around the world, have been deeply affected by the continuing conflict in the Middle East and by the suffering it has caused. The Government of Jersey recognise and respect the United Kingdom's recent decision to recognise the state of Palestine, alongside its clear condemnation of the terrorist attacks by Hamas, its criticism of the actions of the Israeli Government in Gaza and its call to lift the unacceptable restrictions on aid. The U.K., as Members will know, have formally recognised Palestine in order to protect the viability of a 2-state solution and create a path towards a lasting peace for the Israeli and Palestinian people, and that is the position this Government support.

4.18.1 Deputy J. Renouf:

I take it from that answer that the Chief Minister will reinforce that the creation of a Palestinian state remains a key part of a long-term peace in the Middle East, noting that it is also included as an aspiration in the plans announced yesterday overnight?

Deputy L.J. Farnham:

I think my original answer was clear. It comes on the back of a recent letter I sent to the Foreign Secretary. We note the emergence of a peace plan. We are not aware of the detail yet but, as I said, our position under our constitutional position is to remain aligned with the U.K. Government.

4.19 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding attempts at stabilising the construction and retail sectors (OQ.217/2025):

Will the Minister advise what targeted support, if any, is available to stabilise the construction and retail sectors and what plans, if any, he has for improving business confidence in these areas?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I think the short answer is there is no money that is purely allocated to the construction and retail sectors. The Better Business Support Package, though, includes £5.3 million in productivity and skills grants for this year and next year, which are all available to construction and retail sectors and are obviously available by Jersey Business. At the end of June there were 58 approved grants, of these 40 per cent have been awarded to employers in the construction sector and 4 per cent to retail businesses. 2025 grant funding is still available and so I would encourage all employers in all sectors, including those in construction and retail, to make the most of the opportunity to invest in their people and processes, supported by funding from Government and, of course, that Government support is available up to £75,000 per project on a match-funded basis.

4.19.1 Deputy K.M. Wilson:

The Minister will be aware that the economic regulator has concluded their year-long investigation into the construction industry and that was prompted by concerns about the number of construction firms that have folded. Can he explain how his department is working with the Construction Council and the regulator to ensure that there are fair competition, market stability and long-term resilience in the market?

Deputy K.F. Morel:

We will continue as a department to engage both with the regulator and with the industry and, as the Deputy suggested, our principal means of engaging with the construction sector is by the Construction Council but we will also work with fellow Ministers and their departments. I know the Minister for Infrastructure is engaging with the Construction Council around the I.C.E. (Island Construction and Engineering) programme, which is about showing that list and that pipeline of work that is available to the construction sector because aside from financial support, that pipeline of work from Government is extremely important in helping the construction sector maintain its stability.

4.20 Deputy T.A. Coles of St. Helier South of the Chief Minister regarding condemning Israel's actions in Gaza (OQ.208/2025):

Further to the report of the U.N. (United Nations) Independent International Commission of Inquiry stating that Israel has committed genocide against the people of Palestine in Gaza, will the Chief Minister advise what action, if any, he intends to take to communicate Jersey's condemnation of Israel's actions?

[11:30]

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

I refer Members to my previous answer, but I know many Islanders expect us to speak with moral clarity on this issue and I share the grave concern at the findings of the United Nations report and the scale of human suffering in Gaza. In July, I wrote to the Foreign Secretary to express Jersey's grave concern at the scale of civilian suffering in Gaza. In that letter I highlighted the devastating loss of life and the destruction of essential infrastructure which has compounded the humanitarian crisis. I made clear that while Jersey recognises the complexity of the situation there can be no justification for the disproportionate harm being inflicted upon civilians. I also drew attention to reports raising serious concerns that aspects of Israel's actions may be in breach of international obligations and emphasised the need for unrestricted humanitarian access, protection of civilians and urgent progress towards peace. The letter was intended to ensure that Jersey's concern was communicated clearly to the United Kingdom Government, which holds responsibility for foreign affairs, while reflecting our

Island's commitment to humanitarian principles and international law. We will continue to monitor the developments in Gaza closely. We welcome the peace initiative that has appeared overnight and will not hesitate to make further representations to the United Kingdom Government where we feel it necessary to do so.

4.20.1 Deputy T.A. Coles:

Will the Chief Minister go as far as to accept the U.N. Independent International Commission of Inquiry's report and acknowledge the fact that a genocide has in fact taken place in Gaza?

Deputy L.J. Farnham:

The United Nations report did not specify that exactly. It specified that there were reasonable grounds for genocide where 4 of the 5 criteria had been met in their opinion and that is the current situation with the report. I think I can pass no further comment at this stage, but I hope the Deputy and the Assembly accept the sentiments of my previous answer.

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

Has the Chief Minister responded to calls for a statement of condemnation in regard to the Gaza Freedom Flotilla that was attacked in the Mediterranean, which was trying to deliver humanitarian aid to Gaza?

Deputy L.J. Farnham:

As other Members, I have received a number of emails from unknown parties in relation to that issue and that is something we are seeking further information on. I have received direct calls via email, but we have not made a decision on how we are going to respond to that just yet.

4.20.3 Deputy S.M. Ahier:

Will the Chief Minister be responding on behalf of all Members?

Deputy L.J. Farnham:

I think my role is to respond on behalf of the Government initially, but that is something that I would certainly keep all Members informed about.

4.20.4 Deputy T.A. Coles:

As developments continue in the Middle East, will the Chief Minister support sanctions brought against anybody who is guilty of war crimes?

Deputy L.J. Farnham:

Again, we align ourselves with the U.K. on sanctions and will support any sanctions, as is our policy, that the U.K. brings. We have no plans to operate sanctions outside of the U.K.'s policy and strategy on that at present.

The Bailiff:

That ends questions with notice. We now move on to Questions without notice. The first period of questions is for the Minister for Infrastructure.

5. Questions to Ministers without notice - The Minister for Infrastructure

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

Given his previous commitments around consultation, is the Minister satisfied with the community and Parish engagement around the tender process for the future use of the pavilion at Le Creux?

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

I thank the Deputy for her question. Simply, the answer is no, I am not. I asked for people to be consulted in June, and I understand they were not contacted until September so clearly that is not acceptable. I was pleased that representatives of St. Brelade were briefed in September, but I am really disappointed with the delay.

5.1.1 Deputy H.M. Miles:

I thank the Minister for his honesty. Could the Minister advise when the community are likely to see some benefit at Le Creux?

The Connétable of St. John:

I hope to get an update on discussions this Thursday when I have a Ministerial meeting, subject to us being finished in this Assembly, and I will update the Parish officials once I have had that meeting.

5.2 Deputy I. Gardiner of St. Helier North:

Following the public meeting with the Victoria Marine Lake Steering Group on 4th September where the Minister committed to find a way to ensure the safety of the Victoria Marine Lake and it being able to be used by the community, would the Minister give an update of developments since then?

The Connétable of St. John:

Clearly, the Marine Lake has deteriorated further from when I answered questions in this Assembly several months ago. Our priority with all of our property is to ensure safety first and so the team are working on that, on finding a way to make the Marine Lake safe. That is where we are focused at the moment, and we are also happy to discuss with a potential operator for next summer.

5.2.1 Deputy I. Gardiner:

When will the Minister be in a position to give an indication of when it will be repaired?

The Connétable of St. John:

I think the repairs will take place in stages. Clearly, the areas which are higher risk will be first and I hope work will start as soon as practically possible.

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

Will the Minister advise whether the costs of maintenance and repairs of the incinerator are increasing because of age and what is the expected lifespan of the incinerator before it needs to be replaced?

The Connétable of St. John:

Clearly, everything goes up. One of our challenges within Infrastructure is we get an R.P.I. (Retail Price Index) increase and often things like chemicals, materials go up higher than R.P.I., so that is a challenge for us as a department. I do not have the figures to hand in terms of the incinerator itself. We are going to have to make a decision if we continue to burn waste on the Island or if we treat our waste differently, as our near neighbours do, and that work is underway but there is no decision at this stage.

5.3.1 Deputy S.M. Ahier:

What is the expected cost to build a new incinerator today and what are the alternatives to not building one?

The Connétable of St. John:

There are a number of alternatives. I think if we were replacing like for like, which I think would be unlikely, it would be probably £250 million, is the figure I am told. We see that our neighbours export their waste to Sweden. It is a project I have been and visited personally. There are other methods that can be used, and the team are looking at a whole host of potential solutions.

5.4 Deputy J. Renouf of St. Brelade:

It is good timing because my question is on the same subject. Building on that, when is a decision required to be made about the future of the incinerator?

The Connétable of St. John:

I believe a decision will be needed to be made in the next Assembly, so I would expect that decision to be made probably in the next 2 or 3 years.

5.4.1 Deputy J. Renouf:

Given the long lead times needed to find a solution for waste, can the Minister explain what workstreams are currently underway to work out whether or not we can pursue a recycling and export option versus an incinerator option?

The Connétable of St. John:

The team are currently working on a solid waste strategy, and the team are working hard in that area looking at a whole range of options. The plan is that we will put a roadmap in place and then come back to the Council of Ministers and then this Assembly with a plan.

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

Following earlier questions about the Play Strategy, would the Minister support the introduction of a play fund or head of expenditure around play within his department which projects and Parishes, for example, could apply into to support the Play Strategy, perhaps even on a match funding basis?

The Connétable of St. John:

It is an interesting question, and I listened to the answers with great interest. I am happy to confirm that the parks and gardens area and the sport division, both within Infrastructure, work hard in terms of providing play facilities, both upgrading existing play facilities and providing new play facilities. I am delighted to confirm that we are looking at the installation of a pump track on one of our sites funded by Government's significant investment. We are happy to talk to anybody about joint funding, whether that is public, private, public and Parish funding, and I would be happy to discuss with any party about that.

5.5.1 Deputy L.K.F. Stephenson:

I wonder if the Minister may also be willing to take away an extra idea on to that about ongoing funding for such a play fund which could be linked to planning commitments which are already in place, for example. Perhaps would he consider exploring those creative ways that a potential play fund could be topped up on an ongoing basis?

The Connétable of St. John:

I am a little concerned because only yesterday I was discussing with officials: how could we make it simpler and cheaper and easier for people to get planning approval for not only play but also sporting facilities? The Deputy is pushing at an open door.

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

In his answer to Written Question - I do not expect him to remember this - 2024 about putting a car park on Kensington Place, the Minister said the following, and I quote: "This site is identified for use as part of the New Healthcare Facilities Programme, and there are no current plans to convert this site into a temporary car parking facility. Any temporary use of the site outside of the immediate control of Health and Community Services and the programme team represents a potential risk of delay to programme delivery." In a recent use letter published by the Minister for Health and Social Services, he says that any work on Kensington Place is still in its infancy. Why is it not possible, therefore, to develop a meanwhile use car park to help the businesses in that area?

The Connétable of St. John:

We are currently looking at that area not only for a meanwhile use but for permanent use. The priority for the Minister for Health and Social Services has been in terms of the hospital, and I am happy to work, as I do, with the Minister for Health and Social Services and we continue to try and find solutions.

5.6.1 Deputy D.J. Warr:

I have received photographs from the site that clearly shows vehicles parked on the Kensington Place site. In his response to my earlier question, he said: "The proximity to the medical gas bottle store and sensitive healthcare facilities, including the mortuary drop-off and pickup pathology were also a problem." In Planning Application P.2024/1048, Dandara were unable to use the old Apollo site for parking of vehicles without permission. Can he confirm if such planning permission has been given to the site and how is that possible given the response to my 2024 question?

The Connétable of St. John:

I have not been asked to approve any planning applications, and I would have been answering on the advice I had been given by officers about the particular gases involved. It is something I am happy to take away and look into.

5.7 Deputy M. Tadier of St. Brelade:

Is the Minister conducting or considering the situation around pavements and walking routes in Jersey more generally, especially in areas where there are perhaps very narrow pavements or pavements do not exist at all?

The Connétable of St. John:

Road safety continues to be a priority. The Deputy and I have spoken about one pavement in particular. and I am pleased to confirm that at 10.00 a.m. on Friday I will be visiting that location with Infrastructure officers to see what, if anything, can be done.

5.7.1 Deputy M. Tadier:

I was not talking about that particular pavement necessarily but I will try and be there myself and with my pram, perhaps, and my dog but a wider problem for Islanders, I think, here is that is there a minimum standard that Islanders can expect when it comes to roads where they want to be able to walk safely to shops, to schools, to parks, et cetera, and if so what is that standard and what would he expect that should be?

The Connétable of St. John:

It is a really interesting point. For new pavements there is a standard, but I take a slightly different view to my officers because having a pavement that you can walk on is better than not having a pavement at all. Trying to get 1.8 metres is very difficult in a lot of areas locally and if you can find a passing place, then it is much more acceptable in my opinion. We are trying to be flexible. There are many areas around the Island. The other thing that the department are trying to do is to see whether or not we can utilise funds from the Rural Scheme where there is access in the countryside to access villages around the Island. We are trying to be quite flexible and trying to find solutions.

5.8 Connétable P.B. Le Sueur of Trinity:

Is the Minister in a position to provide an update as to when the Trinity Village Improvement Scheme, which started in 2023, is likely to be completed?

[11:45]

The Connétable of St. John:

I am pleased to say that the crossing at Trinity School has proven to be successful. We have had very positive feedback from parents, pupils and staff. We have had some negative feedback from some commuters, but I make no apology, the priority is to make it safe for people to cross the road to access the school. The Constable will be aware that we have been trying to find a solution for gateways. I understand that the Constable does not like the gateways that we have in St. John at Sion. I can tell him that they are very effective. They are also very efficient in terms of the cost, and I am happy to meet with the Constable to discuss this further.

5.9 Deputy J. Renouf:

I congratulate Trinity on having the crossings. Would the Minister be able to update the Assembly on the crossing that has not yet happened at La Sergente, La Pulente, which has been waited for, for a very, very long time. Parishioners would love to know when something is going to happen there.

The Connétable of St. John:

I thank the Deputy for his question. It is a site I have visited. I am very aware of the issues. I visited that site on the way back from another visit so there was no way that it could have been staged, and we watched school children struggling on the road there. I totally agree that it needs to be improved, and we are trying to make progress with the landowners. I hope to be able to update the Deputy soon.

5.9.1 Deputy J. Renouf:

Could I press the Minister to just give me some sense of a timetable for that?

The Connétable of St. John:

It is not information I have to hand today but I am happy to get back to the Deputy. I will ask the team for an update later today.

5.10 Deputy L.K.F. Stephenson:

The *Inspiring an Active Jersey Update Report*, published at the beginning of September, in its “Next Steps” section refers to introducing a junior active pilot. Please will the Minister provide an update on that pilot?

The Connétable of St. John:

I am delighted to provide an update on that pilot. It has taken far longer than I would hope but next month - I am not sure when, it could be tomorrow - we will be opening some of our gyms for young people with Junior Active and also looking at putting on sessions for that age group. We have identified a number of areas where we can help our youngsters, particularly straight after school, and I hope to be able to give more detail of that in the next 2 weeks.

5.10.1 Deputy L.K.F. Stephenson:

How will the success, or otherwise, of that pilot be measured and how long do you expect it to be a pilot for?

The Connétable of St. John:

If I can use the aviation term, I expect it to fly. There are lots of people in a small catchment area that are close to facilities which are totally underutilised at present, and I look forward to seeing them being better utilised coming forward. Clearly, we will measure the uptake in terms of membership and usage. I can say at the moment some of these facilities are very underutilised and I look forward to seeing them utilised.

5.11 Connétable M.K. Jackson of St. Brelade:

Given that opposite Marina Court on the Esplanade there is a grassy bank which comes under the Minister’s administration, which is basically a patch of weeds and a disgrace to the Island, would he

confirm that this is in fact managed by his department and what he is going to do to enhance its appearance?

The Bailiff:

In 3 seconds please.

The Connétable of St. John:

The Western Bus Gateway.

The Bailiff:

That ends the period of questions for this Minister. There is now a period of questions for the Minister for International Development.

6. Questions to Ministers without notice - The Minister for International Development

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

What does the Minister think about the peace plan announced by the President of the United States yesterday?

Deputy C.F. Labey of Grouville and St. Martin (The Minister for International Development):

I would like to thank the Deputy for her question. Obviously, this was just announced 24 hours ago and so we are still considering all the details, but it is encouraging. Any efforts towards peace to end the horror that we have in Gaza is to be encouraged. There are, I believe, 20 points in this plan which include an immediate ceasefire and withdrawal, hostages and prisoners exchanged, the demilitarisation and disarmament of Hamas, all towards seeking a path for Palestinians to have a self-determination in their state.

6.2 Deputy M. Tadier of St. Brelade:

Will the Minister give an update of what forthcoming events are taking place with regard to Jersey Overseas Aid, including tomorrow night's event, I think, with volunteers? Would she talk to the purpose of that and the value of those?

Deputy C.F. Labey:

Yes, thank you for the question and it is extremely timely. As the Deputy alluded to, we have an event taking place tomorrow evening straight from here, so there is no excuse for no States Members to be there populating the event. We will be lodging our 2026 community work projects. I shall not give the game away and tell you which countries; you will have to come along to the event to find out. Jersey Overseas Aid have been sending volunteers away for near on 60 years and they are incredible for not only the beneficiaries, but I always think that the volunteers themselves get huge amounts from the experience. It is good to up their skills to get along with a group of people and to see something of the world that they would not ordinarily get to see going on holiday, for example. I would encourage anyone who wants to come along to come tomorrow evening.

6.2.1 Deputy M. Tadier:

Of course, in terms of the Budget, the States will be giving and debating a budget on this but does the Minister accept that also the multiplier effect that is achieved by volunteers putting themselves forward in Jersey has a much greater value both in economic terms but also in social terms to the output that Jersey Overseas Aid is able to achieve throughout the world?

Deputy C.F. Labey:

Yes, there is nothing like first-hand experience so I would agree, yes, that the budget that we use on local people to send them overseas to volunteer and get a taste for work in international development could ignite something in them because international development is an incredibly difficult career

path to take for many levels. Yes, it is a budget well served, and it gets the message out in our community, so it is all good as far as I am concerned.

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

I am going to be a bit more controversial. The Jersey Overseas Aid Budget is set to increase by 11 per cent year on year from just over £20 million 2024 to just over £21 million in 2025. While I believe it is important to continue on the good work of the J.O.A. (Jersey Overseas Aid), can the taxpayer still afford to make the level of contribution when we have a cost-of-living crisis in our own Island?

Deputy C.F. Labey:

I would like to thank the Deputy for that question and the opportunity. I do not necessarily agree with his percentages, but this Assembly made an agreement in 2000 to increase our aid budget by 0.01 per cent per annum. At that time, the levels of our percentage were 0.25 per cent and for an international community, as we like to see ourselves, outward facing, that was not a good look. The aim, as the good Deputy will probably know, is 0.7 per cent. We are way off that but we felt that if we could encourage it incrementally, and have done for the past 5 years, we have now reached 0.3 per cent, which is not the 0.7 per cent admittedly, but we feel that by pegging it to G.V.A. (Gross Value Added), the percentage goes up when our economy goes up but it also comes down when our economy comes down, and it will be coming down next year by about £400,000.

6.3.1 Deputy D.J. Warr:

I just confirm those numbers, so the budget is calculated as 0.3 per cent of G.V.A. Although this type of calculation may be appropriate for far bigger jurisdictions, does the Minister believe that this is appropriate measure for Jersey and what other funding formulas might she consider?

Deputy C.F. Labey:

I think as this formula is used by the U.N. and all the measurements across the board, so when we are comparing our giving with different countries, it is the right one and I think it is the right one for overseas aid. It means that we are not here having a bun fight comparing dying children with bobbies on the beat every year, which I would suggest could be very unedifying. It is a means of giving and I think 0.3 per cent for a wealthy Island is appropriate.

6.4 Deputy J. Renouf of St. Brelade:

I wonder if the Minister could outline if there are any current aid operations operating in Gaza that Jersey is responsible for and just update us on how those are progressing?

Deputy C.F. Labey:

Could the Deputy repeat the question? I did not hear.

The Bailiff:

Are there any aid operations operating in Gaza for which Jersey is responsible or contributes towards?

Deputy C.F. Labey:

Obviously, Gaza is in crisis, so we do not have any sustainable development projects there at the moment. Our last monies are humanitarian, so for emergency aid. Our last monies, £300,000, went out in July to 3 different N.G.O.s (non-governmental organisations) who we trust to deliver on the ground. I had a Teams meeting with the country director of the World Food Programme in Jerusalem a couple of weeks ago and our aid had arrived and had been delivered, because I am not sure if the Deputy is aware in Gaza aid was blocked by the Israelis from 2nd March to 21st May. That amount of time was unprecedented to block humanitarian aid and so as soon as the blockade had lifted, we got our aid delivered and commissioners will be looking again to deliver more as soon as possible.

6.4.1 Deputy J. Renouf:

I thank the Minister for that answer, and I guess my supplementary is about the future delivery of aid. Can the Minister confirm that given that the aid organisations that we are using do seem to now be able to deliver aid to Gaza, that further humanitarian aid will be considered as a matter of urgency?

Deputy C.F. Labey:

Yes, indeed, we consider it as an emergency. However, a couple of weeks ago the Israelis imposed a further hurdle for aid getting in. They now want N.G.O.s to register all their personnel and details, which many believe breach data protection and many are fearful if they have got to give names of Palestinian aid workers to the Israeli authorities, so the N.G.O.s right now are considering whether they want to register. We are watching and obviously the N.G.O.s that we deal with that we have done due diligence on, as I say, are our trusted partners, we will have to wait and see whether they are still prepared to work in the area.

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

As the Minister mentioned before, international development is often seen as a challenging sector for the public to engage to work in. What job opportunities are open to Jersey Overseas Aid or related programmes?

[12:00]

Deputy C.F. Labey:

We have an excellent programme; it is the U.N. Professional Officer Placements. We joined the scheme in 2021 along with 19 other countries, like Australia, Canada, Denmark, Norway, et cetera, and this offers a local person the opportunity to work in international development for 2 years. Now they work in humanitarian and emergency situations. We send one person a year. At the moment, we have got someone placed in Kiev. I do not know if Members had the opportunity to read about it, a couple of weeks ago she wrote a fantastic report in the paper, and we have got a couple in Cox's Bazar, but this is a wonderful opportunity, as I say, for Islanders. They are paid a full salary. They work for 2 years, and they may or may not be offered a job with the U.N. at the end of it but at least they have got experience to go and seek work at other N.G.O.s, if that is what they want to do.

6.5.1 Deputy R.S. Kovacs:

What measures are in place to ensure these opportunities are accessible to local residents, including younger people or those without prior experience in international development?

Deputy C.F. Labey:

Well, I guess the place to start is our community work projects. That way you get a flavour. You volunteer; you get a flavour of working in a developing country so that does not take up too much of someone's time so they can just see. We also offer an intern programme or programme associate for 18 months. We advertise these opportunities on our website. We also host what we call J.I.D.N. (Jersey International Development Network) events. We have got one coming up in October where we are going to speak about our Dairy for Development programmes which, to my mind, are our flagship programmes and they too give individuals, local people the opportunity to work for 18 months with us, with the N.G.O. in the U.K., and then finally sent out to the field. So, there is a stepping stone way for just applying for the U.N. placements.

6.6 Connétable P.B. Le Sueur of Trinity:

Would the Minister agree with me that at a time when the U.S. are pulling out of so much of their funding of humanitarian aid, it is continually becoming more important that Jersey, as a global citizen, plays its part in delivering much needed aid to the communities within the world that are suffering at this time?

Deputy C.F. Labey:

Absolutely. I could not agree with my fellow commissioner any more. Yes, the way and manner in which the U.S. (United States) pulled out of their aid programme has been devastating. I have seen it for myself in Zambia going down the roads where U.S. aid operated inoculation programmes are just boarded up. It had a devastating effect on the beneficiaries but also the aid workers themselves. It is hugely important that we maintain a steady line and continue with our giving.

The Bailiff:

That brings the time for questions to this Minister to an end. The final question period, of course, is with the Chief Minister.

7. Questions to Ministers without notice - The Chief Minister

7.1 Deputy J. Renouf of St. Brelade:

A centrepiece of the Budget is the creation of the Jersey Capital Investment Fund, which is designed to protect capital spending from the pressures of day-to-day spending. The Social Security Fund was set up to be funded by a formula that would protect it from pressures of day-to-day funding. However, the Government is taking £250 million from contributions to fund day-to-day spending. Why should the public have any faith in the Capital Investment Fund meeting its objective to protect capital spending when the Government is undermining that very principle with its raid on social security contributions?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

They should have faith based upon the foresight that established the Social Security Reserve Fund and the strong performance that has led it to grow to almost £2.5 billion with the projected growth figure of £3 billion by 2029. The Social Security Reserve Fund was based on a formula set up in a time when our long-term population projections were completely different to what they are now. The Deputy conveniently forgets that we are still proposing to put £186 million into the fund, and I think it is important that we balance what the taxpayer puts into the fund, how it supplements the fund with what the fund needs. It is still - by just about every other reserve fund around the world - in a strong state with 7 to 8 years of reserve, which is unheard of in many other countries, so I wish the Deputy and other Members would stop scaremongering about the impact on the fund. We have a very strong fund in a very good position, and that is exactly the same principle with which we are establishing the Jersey Capital Investment Fund, to do what the reserve fund has done and that is protect the essential investment in our infrastructure and public realm in the years ahead.

7.1.1 Deputy J. Renouf:

The single biggest thing that would reassure the public would be if there were clear statements from the actuaries that would have made clear how much leeway there was for the fund to play with. Could the Minister explain why there is no statement from the actuaries to clear this amount of money being taken from the fund?

Deputy L.J. Farnham:

I refer the Deputy to the Minister for Social Security's answer that clearly dealt with a similar question earlier on. The Minister for Social Security has been in communication with the actuaries. A full actuarial review is due next year, which will take a long-term strategic view of the fund and how the States, the Government and the taxpayer will support it moving forward. The projections, the estimates in the Budget, are based on careful Treasury analysis and I support those budgets as more than adequate enough to ensure the Social Security Reserve Fund is sustained at the appropriate level.

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

With the announcement in the U.K. about the BritCard, the national identity card for all citizens, is the Chief Minister considering introducing something similar here?

Deputy L.J. Farnham:

We do have a number of choices of I.D. (identity) cards for citizens here. We have no plans to have a compulsory scheme at this stage and we are working with the U.K. Government to understand more about what they are doing to ensure it does not impact or impede upon Channel Island residents, for example, because we know a lot of Channel Island residents live and work in the U.K. and we want to make sure they can continue to do so. That is a work in progress but currently no plans for compulsory scheme in Jersey as yet.

7.2.1 Deputy H.M. Miles:

I thank the Chief Minister for the answer. If Jersey was to introduce such a scheme, would the plan be to piggyback on that of the U.K. or to develop an independent Jersey scheme for Jersey citizens?

Deputy L.J. Farnham:

It is hard to speculate without seeing the detail of what is being planned in the U.K. In general circumstances, it makes sense to join a bigger scheme if it works for us but that is not always the case, so we would have to wait and see.

7.3 Deputy M. Tadier of St. Brelade:

Is the Chief Minister aware whether the U.K. recognises the arrest warrant that is still out for Benjamin Netanyahu and, if so, how does that influence Jersey's perception of the supposed peace deal that has been proposed between Trump and the wanted war criminal, Benjamin Netanyahu?

Deputy L.J. Farnham:

I am sorry, I am not fully sighted on the details of the arrest warrant and the U.K.'s position, so it is going to be difficult to answer other than just to reiterate that our foreign policy aligns with that of the U.K. and we would likely align with them depending on their stance on that in relation to that matter.

7.3.1 Deputy M. Tadier:

Would the Chief Minister, as the lead for the Government of Jersey, take every opportunity to reiterate Jersey's stance that genocide should not be tolerated, that illegal occupations should not be tolerated and that we would expect any consideration from the international community that the U.K. might be involved with on our behalf by extension - because we do not have the right to sit at the table - that those points should be taken into consideration in any peace plan that seeks to secure a lasting peace in the region?

Deputy L.J. Farnham:

Well, the short answer to that is yes, and I refer the Deputy to my answer I gave earlier on questions about Gaza, as we do with other issues of national and international importance. We make sure Jersey's voice is as loud as it possibly can be in our communications and our meetings with the Government.

7.4 Connétable K.C. Lewis of St. Saviour:

Further to the previous question regarding I.D. cards and my own question to the Minister for Treasury and Resources, if Jersey were to have a specific Jersey I.D. card - when I know our French neighbours can come to Jersey for a daytrip using their French I.D. cards - it would be wonderful if Jersey could be reciprocated with that visiting France using a Jersey I.D. card but, given my previous question, I think probably unlikely. Does the Chief Minister have a view on that?

Deputy L.J. Farnham:

My view is the easier it is for people and goods to travel between jurisdictions the better and we find ourselves in a situation not entirely of our own making, which makes that difficult. We are aligning ourselves to work with the U.K. Common Travel Area E.T.A. scheme and will work closely to ensure we have as smooth a transaction at the border as possible. I am not sure that a wave to the harbourmaster will suffice moving forward ,but we will do our very best. **[Laughter]**

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

As the Chief Minister will well know, the budget for Visit Jersey has hardly changed over the last 10 years. Does he believe that it is adequate, and does he intend to try to raise it in next year's Budget?

Deputy L.J. Farnham:

Coincidentally, I have been discussing the matter with the Minister for Sustainable Economic Development and with the industry, and I think we share the views that the Visit Jersey budget is not entirely adequate, given the, shall we say, unexpected drop in tourism numbers this year. We certainly did not foresee that coming a year ago, not just because of the challenges around the transfer of the ferry service, but other geopolitical challenges that are affecting tourism in and to our key markets. That, I understand, is a conversation the Minister for Sustainable Economic Development is leading on with the industry, and I am sure he will be open to taking questions on that at some time in the future. But I firmly believe that it is time now to increase the budget - marketing budget in particular - for Visit Jersey so we can help to rejuvenate tourism.

7.5.1 Deputy S.M. Ahier:

Noting the drop in visitor numbers, does the Chief Minister accept that Visit Jersey is the best vehicle to deliver the marketing in Jersey as a tourist attraction?

Deputy L.J. Farnham:

I think that one of the best vehicles we rely on is partnerships. Visit Jersey is important there at the forefront of the marketing and above-the-line campaigns. They work closely with the industry. The industry itself are important partners. Just about every hotel has its own marketing plans and campaign. Equally important, are the shipping companies and the airline partners, who work collaboratively with the Ports of Jersey. So, yes, they are extremely important, but it is part of a big important team effort.

7.6 Deputy J. Renouf:

I have not quite finished on the social security funds. I asked the question previously of the Minister for Social Security and did not get much of an answer, so I am going to ask it again. The spending in the budget is long term, but the funding mechanism is time limited. What does it say about Jersey's reputation for fiscal prudence that we are committing to long-term expenditure without any idea of how we will meet that commitment, and simply dumping the problem into the next Government's lap?

[12:15]

Deputy L.J. Farnham:

As we move forward, our challenges around money stay the same. We have to find different and better solutions, and that is at the heart of this Budget. We have not accepted that formulas that are out of date are the best use of taxpayers' money, given the challenges we are currently facing. This Government and future Governments and future Assemblies will never be far away from those sort of challenges. That is part of the reason why we have put so much effort into curbing the growth in public expenditure. States Members will know from the workshops that have been attended that we have focused on our population forecasts. We focus on the growth in the public sector, and now we are going to focus on another workshop in February, the solutions to that. The solutions are not

continuing to do what we have always done. As somebody once said, the definition of madness is doing the same thing again and again and expecting a different result. We have to make changes. We have to work in what we consider to be the best interests of the taxpayer, and for 2026 to 2029 those are represented in the Budget.

7.6.1 Deputy J. Renouf:

Nevertheless, the fact remains that we are using a time-limited mechanism to fund long-term expenditure. Can the Chief Minister confirm whether the Government's cuts to the social security grant came from an objective assessment of how much the fund could afford to lose or how much the Government needed to find?

Deputy L.J. Farnham:

It came from an objective assessment in relation to the current position and current forecasts of the Social Security Reserve Fund, and it also came from a reality that funding challenges have grown immensely since COVID. Coming out of COVID, we have seen an exponential growth in public expenditure; an increase of almost 50 per cent in 6 years. All of that has led to the Government having to take a completely different view to future budgeting. That does not just include how we reprioritise spending. It looks at how we manage our income. It looks carefully at tax forecasts, which are based on economic forecasts. Members will know we face challenging economic times. It is a complex job budgeting year on year and it is one that is not going to get any easier as the years go by, which is why it is important we make the right decisions now. The caveat is these challenges will never go away, and in 3 or 4 years' time the Deputy might be asking the same question. You never know, I might be asking him the question then, but the challenges remain.

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

In a Scrutiny hearing with the Minister for Treasury and Resources yesterday, the Corporate Services Scrutiny Panel discussed the difficulties Scrutiny Panels and Members have following the policy and governance work undertaken by Ministerial groups, such as the Regeneration Steering Group and Ports Policy Ministerial Group, particularly in relation to the work they do understanding the delivery of States-owned entities. With that in mind, will the Chief Minister commit, on behalf of his Government, to ensuring minutes and agendas from all Ministerial groups are shared in confidence with relevant Scrutiny Panels to enable effective scrutiny?

Deputy L.J. Farnham:

I do not see any problem with that at all. In fact, I thought that did happen, but there is no problem at all with that.

7.8 Deputy M. Tadier:

Would the Chief Minister be able to comment on the recent open letter that was written by the chief executive of Sandpiper saying that freight prices are pushing up the cost of living in Jersey?

Deputy L.J. Farnham:

I think the position needs to be properly articulated. In the media, the ferry freight counts for, I am looking at the Minister, 40 per cent of the cost of freight. The vast majority of the cost of getting freight into stores is with the freight-forwarding companies, and that is potentially where the costs are being margin-maintained.

PUBLIC BUSINESS

8. Reduction of Lodging Periods

The Bailiff:

There is nothing under J and K. Before we move to Public Business, decisions need to be made regarding whether to reduce the minimum lodging period in respect of 2 matters listed on the Order Paper. Firstly, there is an amendment to the proposition entitled Health and Care Jersey Advisory Board and Partnership Board, P.52, which has been lodged by the chair of the Health and Social Security Scrutiny Panel. Chair, do you wish to make the proposition under Standing Order 26(7), the lodging period be reduced to allow for this matter to be debated in this sitting?

8.1 Deputy L.M.C. Doublet of St. Saviour (Chair, Health and Social Security Scrutiny Panel):

I want to apologise to the Assembly and to respectfully seek the leave of the Assembly to reduce this lodging period. To explain briefly the reasons, simply being that the desire to make such an amendment did not arise within the panel until the deadline was upon us. We felt that it was important to produce something of a good standard and also preferable not to have to ask the Minister to move his proposal, so I make the request of the Assembly.

The Bailiff:

Is that proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? Then those Members in favour of adopting the proposition kindly show. Those against? The proposition to reduce the lodging period has been adopted. Secondly, there is an amendment to the Draft Sea Fisheries (Minimum Size Limits) (Jersey) Amendment Regulations, P.53, lodged by the Minister for the Environment. Minister, do you wish to make the proposition under the Standing Order that the lodging period is reduced to allow the matter to be debated?

8.2 Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I do, please, Sir.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak? Those in favour of adopting the proposition kindly show. Those against? The proposition is adopted.

9. Draft Bank (Recovery and Resolution) (Jersey) Amendment Law 202- (P.42/2025)

The Bailiff:

The first item is the Draft Bank (Recovery and Resolution) (Jersey) Amendment Law, P.42, lodged by the Minister for External Relations. The main respondent is the chair of the Corporate Services Scrutiny Panel, and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Bank (Recovery and Resolution) (Jersey) Amendment Law 202-. A law to amend the Bank (Recovery and Resolution) (Jersey) Law 2017, to provide for the continuation of the Bank Depositors Compensation Scheme and to provide for the transfer of functions to the Authority for the administration of that Scheme. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following law.

The Bailiff:

This debate resumes, I think, following the adoption of the principles on 9th July, and therefore following a referral to the Corporate Services Scrutiny Panel. We are dealing with the matter in Second Reading at this point. How do you wish to adopt the matter?

Deputy M. Tadier of St. Brelade:

Just a point of procedure. I think it was my panel it was referred to, not the Corporate Services, so it is the Economic and International Affairs, but easy to confuse, I think.

The Bailiff:

Yes. I certainly did confuse them, and thank you for that clarification. How do you wish to propose the Articles, Minister? There are 55 of them in Second Reading.

9.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (Assistant Minister for External Relations - rapporteur):

En bloc, please, Sir.

The Bailiff:

Are the Articles seconded for adoption *en bloc*? **[Seconded]** Does any Member wish to speak on any of the Articles?

9.1.1 Deputy M. Tadier:

The Members will recall that this was called in by my panel. There were a couple of areas that we wished to look at. One of them was really to understand what the thinking was around the cap of the threshold. The panel was very clear from the evidence it gathered that, first of all, when we talk about the cap, we are talking about the amount of savers' deposits that are protected in Jersey is set at £50,000. That has not changed at all since its inception. When that scheme was introduced only £50,000 of a depositor's money is protected. Those depositors could live anywhere in the world but they would be for banks that are specifically in Jersey. The overwhelming response that we had to the public consultation was that the £50,000 is no longer suitable, taking into account that the rate of inflation over that period has been such that a figure around about the £85,000 mark would be more comparable if it had kept up with inflation. We also note that when the scheme was adopted, pretty much straight away the U.K. had already moved its rate from £50,000 up to £85,000. So, this is already a scheme, which was implemented in 2009, so it is some almost 16, 17 years ago, and that the U.K. are now looking to increase the value of their protection for U.K. depositors. For example, Europe protects deposits up to 100,000 euros, and that is the same for Gibraltar. Our panel did consider whether it would be appropriate at the moment to introduce an amendment. We did give that serious consideration as to how that would work. First of all, we would like to thank the Minister and her team for engaging in the process and coming to the public hearings, but obviously the board that will be doing the resolution themselves, and who will effectively take over the job of the compensation board, the Jersey Resolution Authority, for meeting with us on more than one occasion. We accept that there is an argument that they need to be set up to receive their new powers, and that ultimately a piece of work will need to be done in how to deliver any changes to the compensation scheme in terms of what is protected to make sure that the scheme is fit for purpose and that it is workable. But very much what we felt as a panel is that there needs to be a clear direction given from Government, which has not been the case up until now. We are disappointed that the work had not been done by this point. It is not a criticism, by the way, of this Government, but I think successive Governments have failed to get to grips with the value of the scheme over that 16-year period that it has been in existence. It also seems clear to us that the question of increasing the value of the £50,000 protection would not have even been considered had the panel not flagged that. We ultimately believe that this is a political decision that needs to be made. We would recommend that it is made by this Government, that they take an in-principle decision among themselves to say: "Look, we do want to uprate the value of our scheme to make sure that Jersey depositors have comparable protections to their counterparts elsewhere." I accept what the Minister for Treasury and Resources has said in the past that not all depositors will be based in Jersey, and I think the response of the panel is: "So what?" The scheme is to protect all depositors, and it is to provide a basic value for all depositors in Jersey irrespective of where they live. Similarly, there will be depositors in other countries who are not residents in those countries who also benefit from a minimum of protection. I hope that we have come to a position where the panel has added value in this particular regard so that we accept that the Ministers and the Resolution Authority needs to be given time to go away for their new responsibilities to bed in and to find a way that any uplift in that scheme could be affordable and

sustainable in the future. I also have to caveat that this is both fairly niche, in terms that it is not everybody in Jersey that will be affected by this. It is people who have savings, and savings above the £50,000 who might have a particular interest in this area. It is also something which we hope will never need to be used. So, clearly, banks going into failure we hope are very rare, but that is also what we thought before 2008. Nobody necessarily envisaged that particular banking crisis coming along. One area that we also recognise is that most of the high street banks that are present in Jersey will also have, if you like, parent companies be part of a wider structure. When it comes to the Resolution Authority, a lot of those structures will be kicking in at a much earlier stage, making sure that such companies do not go into failure, if at all possible. One area we did consider was that there may be smaller banks in Jersey which do not have an affiliation with a U.K. parent structure or may be based somewhere else which does not have a protection scheme of its own. We were told that, in relative terms, it is those banks which may well be allowed to go into failure if it were necessary, rather than being saved by the U.K. stepping in to buy those banks out, et cetera. In relative terms, we think that it is those depositors in those banks who might be facing a higher risk, and if they have got savings, in the region of £200,000, currently their savings are not fully protected under the current scheme. It is only up to that value.

[12:30]

There are new comments that we have issued in regard of this. We are fairly comfortable that given the commitment that has been made by the Jersey Resolution Authority, that they are in a position to both start their work and look to review this in the early part of next year, towards the first and second quarter of next year. I will briefly read the recommendations that our panel made. The first recommendation was that the depositors' compensation scheme limit should be raised, and that the Minister for External Relations, who is the Minister for Financial Services, along with the Council of Ministers, should at its earliest opportunity make a collective in-principle decision to do this. The second recommendation is that the Minister should outline the scope for terms of reference of the J.R.A.'s (Jersey Resolution Authority) compensation limit, review it in recognition that the current limit is outdated and insufficient. The third recommendation is that the Minister for External Relations should share the scope and terms of reference of the review with our panel prior to the J.R.A. commencing its review. Fourth recommendation is that once the review is concluded, the Minister should establish a clear schedule for the periodic review of the compensation limit to ensure that the limit remains appropriate. So, what we are saying there is if and when \Government decides to increase the value of the scheme, it needs to be maintained, and that the Minister for External Relations should ensure that part of the J.R.A.'s forthcoming review, comprehensive stakeholder consultation should be undertaken, including both depositors and industry professionals, as well as the wider public. The last recommendation, 6, that the Minister should commit to providing clear information and education around the workings of the compensation scheme. Although it was not central to what we were asking during the review, a further finding came out from the Financial Services Ombudsman saying that the level of compensation that they are able to offer in terms of compensation under their scheme has also been going down over time and it has not been upgraded since the inception of that particular scheme either. We would ask the Minister to give consideration to all of those thresholds that are put in place. While I can perceive that the Minister might be slightly frustrated that we have called this in, we do feel that value has been added by the scrutiny process. It was quite clear to us when we did our outreach in St. Helier that it did engage more members than we would have expected stopping who talked to us about the scheme, but there was patchy knowledge from some people about what level their deposits were protected at. One member of the public came to us and said: "I am all right because I bank with a U.K. bank and my savings are protected by £80,000." That was a figure that does not correspond either to our scheme or to the U.K. scheme at £85,000. We found that in this case it seemed that the depositor in question was banking locally and we had to say: "You are probably only covered up to £50,000, not the £85,000 that you might think you are." So, there is an education piece that we think the Minister could do working alongside

industry and the J.R.A. for wider education in this area. I do thank Members for allowing us to do this piece of work, and the report is there for Members to read. As such, we are happy for the legislation to pass with the current Articles in the Second Reading. Can I just thank the rest of my panel, in particular Deputy Wilson, the vice-chair, Deputy Andrews, and also the officers who have worked very hard on this.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak in Second Reading? No other Member wishes to speak? I close the debate and call upon the Minister to respond.

9.1.2 Deputy M.E. Millar:

I would like to begin by thanking the chair and members of the Economic and International Affairs Scrutiny Panel for their diligent review of the amendment and its associated policies over the summer recess. I am not going to respond to all of Deputy Tadier's comments, but I should say that I do not think it was ever the case that a review was never on the cards. I think it was very clear that a review would take place, but not until the changes envisaged by this law had been in place so that the J.R.A. had a clear footing and the important administrative changes in place to allow them to take that work forward. I should also say that a review of the details of the scheme, both the nature of the deposit covered and the extent of the protection offered, and again I emphasise that it does not mean that £50,000 is all that people get back. That is what they get back in the short term, and most people will recover the full amount of their deposit over a period of time. I am told that is the case in bank collapses elsewhere. A review of the limits, the Minister has instructed that to take place to begin from quarter 2 in 2026, so that review will happen. A review of the compensation limit is a very complex and complicated process. It may affect both the public finance, because we have to lock funds away to protect the government investment. We currently have £100 million in the budget locked up for the contingent liability of a bank collapse and a claim on the fund. We have to remember, it means that banks have to carry contingent liabilities and provision for the contingent liabilities in their balance sheets, and it is important that we always ensure that Jersey remains a place where banks want to operate and do business. We have to be very careful that the banks can also source their responsibilities under the scheme. I would also just like to remind Members that the whole point of the resolution framework is to make it even less likely that a systemic bank will fail. A bank that is important to all of us, all of our current accounts and deposit accounts, because it will also cover our current accounts, not just savings. The resolution framework does mean that it is less likely that a bank may go into any form of insolvency in Jersey, causing the scheme to be affected. That is including the case of the very small banks the Deputy referred to. The main clearing banks that we all rely on will be part of the resolution framework either here or in their home states, and the smaller banks are very, very unlikely to have deposits from Jersey depositors at a level where the level of compensation is likely to be a big factor in their decision to bring money to Jersey. Just as a brief reminder to Members of the Assembly, the amendment seeks to facilitate the transfer of the Depositor Compensation Scheme to the Jersey Resolution Authority. It also introduces necessary enhancements to modernise and strengthen the scheme's delivery, making sure that it is fit for purpose should it ever be required however unlikely that may be. The Articles provide for the continuation of the existing Depositors Compensation Scheme, which currently operates under the 2009 Regulations, which will now be governed under the Bank (Recovery and Resolution) (Jersey) Law 2017. This is primarily achieved through Article 35, which inserts the scheme into the resolution law under a new part 7A. In addition, minor amendments support the ongoing development of resolution policy reflecting the Jersey Resolution Authority's work and its engagement with industry and international bodies. The law is proposed to be commenced in stages to allow for the orderly dissolution of the Jersey Bank Depositors Compensation Board, and the transfer is expected to take effect from 1st April 2026, with final provisions for wind-up of the board expected to be commenced

by 30th June 2026, subject to completion of relevant formalities. I propose the Articles and call for the appel, please.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on the Articles in Second Reading. I ask the Greffier to open the voting and Members to vote. Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The Articles have been adopted in Second Reading:

POUR: 44		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
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 S.G. Luce				
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 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 H.M. Miles				

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 K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, do you propose the matter in Third Reading?

Deputy M.E. Millar:

Yes, please.

The Bailiff:

Is the proposition seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? Those in favour of adopting in Third Reading? The appel is called for. I do not think anyone has rushed out in the meanwhile, so I ask the Greffier to open the voting and Members to vote in Third Reading. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting. The law has been adopted in Third Reading:

POUR: 44		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
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 S.G. Luce				
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 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 H.M. Miles				
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 K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

LUNCHEON ADJOURNMENT PROPOSED

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

May I propose the adjournment.

The Bailiff:

Adjournment is proposed. The Assembly stands adjourned until 2.50 p.m.

[12:40]

LUNCHEON ADJOURNMENT

[14:15]

Deputy J. Renouf of St. Brelade:

Sir, before we proceed, could I ask for the défaut on the Connétable of St. Lawrence to be raised?

The Bailiff:

Yes, the défaut is raised on the Connétable of St. Lawrence.

10. Health and Care Jersey Advisory Board and Partnership Board (P.52/2025)

The Bailiff:

We continue with Public Business. The next item of Public Business is the Health and Care Jersey Advisory Board and Partnership Board, P.52, lodged by the Minister for Health and Social Services. The main respondent is the chair of the Health and Social Security Scrutiny Panel. There is an amendment lodged by the same panel. Minister, do you accept that amendment?

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

No, Sir.

The Bailiff:

No, you do not. Fine, very well. In which case we will deal with the amendment separately and I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion – to agree – (a) that the non-statutory Health and Community Services Advisory Board, established further to the Act of the States dated 14th June 2023, should continue to operate and provide improved governance and oversight for the services delivered by Health and Care Jersey; (b) that the Minister for Health and Social Services should establish a new non-statutory Health and Care Jersey Partnership Board which will operate in accordance with the terms of reference set out in Part 2 of the report accompanying the proposition.

10.1 Deputy T.J.A Binet (The Minister for Health and Social Services):

Before I deliver this short endorsement of the proposition to continue the existence of the Health Advisory Board, I would like to remind Members of 2 things. The first is that this Assembly decided it should determine whether the Advisory Board continues beyond its first 18 months of operation, hence part (a) of this proposition. The second is that while I supported the principle of the board's establishment, I did not vote for it when the original proposition came to the Assembly. Rightly or wrongly, while the timing of its introduction was an issue for me, I will not complicate matters by discussing the reasons at this point. That said, standing here today, I have no hesitation in recommending to Members that the board is retained. The recently published performance review clearly sets out that the board's approach to decision-making and reporting is driving improved control over department's finances and operational performance. I will not labour the point by describing all the improvements but, put simply, we are in the fortunate position of having 5 highly experienced health professionals who are doing a great deal more for us than is expected under the terms of their contract and whose checks and challenges are driving real improvement. I am happy to confirm that while the board never fails to hold the executive team to account in no uncertain terms, relations between them are extremely good, as is the relationship between both of those parties and our small Ministerial group, and for a number of reasons this is vitally important. Much has

changed in Health over the past 18 months and this is in no small part due to the assistance the Advisory Board has provided to us as a Ministerial group in many matters, not least in assisting with the senior appointments, which have done so much to change the culture of the department. I note that the Scrutiny Panel have recommended the appointment of a permanent chair but I am afraid I disagree with them wholeheartedly and with good reason. At present, and as just stated, relations between all 5 members are excellent. The team is extremely well-led by the current acting chair who shares some of the chair's responsibilities with the other 4. This is something that they wanted to do and something that they want to continue, and they have my total support. The chairing of the board is not, however, the subject of the proposition. To focus on the matter in hand and in concluding my comments on part (a) of the proposition, I recommend the continuation of the Advisory Board. Moving to part 2, the establishment of the Partnership Board. As this Assembly knows, Deputy Renouf intends to reference back this proposition based on his concerns around part (b). I will not address the reference back or his stated concerns at this juncture because I want to avoid needless repetition. But I will do so at the appropriate point in these proceedings, assuming Deputy Renouf acts as indicated. The adoption of the Partnership Board would mark a step change in the way in which we approach health and care in Jersey. In order to explain why, I shall endeavour to provide a little background. I know I have mentioned this before but when I and my fellow Assistant Ministers first took office we found the atmosphere with the government departments responsible for our Island's health and service care to be unwelcoming, with an unacceptable degree of animosity between some internal and external service providers. Backroom talk was still aimed at the direct employment of G.P.s (general practitioners) and absurd ideas like Family Nursing and Home Care services where there are 170 staff being put out to tender in the U.K. These things were already in train and been justified as part of proper process. It is little wonder that animosity prevailed. While many talented people, both inside and outside of Government, were doing a lot of great work, systems of communication and decision-making processes were deeply fragmented. While much has improved, as H.C.J. (Health and Care Jersey) moves towards a culture of openness and equality in its relationship with individual providers, the system itself remains totally void of any appropriate partnership structure, the absence of which has a very adverse effect on patient care on a daily basis. In response to the situation, over the past 12 months we have designed and consulted widely upon a new but simple structure to bring all sectors of healthcare provision together in a forum for discussion and decision-making. In simple terms, the new Partnership Board will consist of individuals representing 3 main components of the Island's health and care system. The overarching government department, whose remit it is to support the entire health and care system, rather than just the government-provided services, representative from government's health and care providers, that is the hospital, mental health and adults social care and the non-government section, which is G.P.s, care homes, home care, dentistry and pharmacy. It is important to mention that this collective body will for the first time give equal status to the various participants. Rather than adding yet another layer of bureaucracy, it will do away with numerous unproductive existing meetings, ad hoc boards, et cetera, and replace them with one clear and well-structured framework for discussion and decision-making. It is also important to mention that almost everything that the Partnership Board is intended to do is being done already. The only difference is it is all currently being done within an organisational maze that has evolved over the course of many years without a holistic plan or structured approach. No one across the whole health and care system really understands where to go when there is a need for a problem to be solved or decision to be made. From a structural point of view, it really is a mess. In developing these proposals we consulted widely with different health and care providers and on virtually every occasion the proposal received strong support. I know this to be correct because I was present at the vast majority of the consultation meetings. Yet despite this, in a very late submission to the Assembly, the Health Scrutiny Panel appears to claim that the proposition is deeply flawed. Indeed, if they are to be believed our team has just wasted the last 12 months. In their report the panel have made a number of insinuations, such as selecting evidence to support a premeditated agenda and suggestions that bias may be present in what is being included.

It is also being suggested that the proposal undermines the very principle of inclusive and balanced partnership that the boards are meant to embody, that the exercise is primarily political in nature, driven by Ministerial instinct and the consultation and supporting evidence was assembled subsequently to justify the approach. Apparently, the proposal lacks rigorous or systemic analysis, it overlaps with existing structures and the proposed board will become duplicative, slow to act, symbolic rather than substantive and will struggle to move beyond process and symbolism. There is more but I think I will leave it there for the time being. In my view, rather than just denigrating the current proposition, the Scrutiny Panel would have proved far more useful to the interests of good patient care had they taken the opportunity to assess the current muddle and compare it to what is now being proposed. Had they done so, I can guarantee the outcome would have been nothing like the one they have offered up. Before I draw to a close, I think I should remind Members that Deputy Renouf, when speaking in support of the proposed Advisory Board in June 2023, said the following: “The question I ask myself is a simple one, does the proposal, i.e. the establishment of the Advisory Board, make it more or less likely that the Health Department and Government is able to deliver better healthcare to our people?” Reflecting on Deputy Renouf’s words, I ask myself the same question. Does this proposal make it more or less likely that providers from across Jersey’s health and care sector are able to deliver better healthcare to our people? I know the answer to that question, as do the providers that have shown their full support for it. Finally, what is the Assembly to do? For me it comes down to a very simple choice, either Members choose to believe that in basic language the proposition is a load of rubbish, they vote to reject it, leaving the many good people running every element of Jersey’s health service to carry on in a badly evolved and inefficient muddle or Members take a more trusting and practical approach and allow our health and care providers to get on with the job of co-operating in a new collaborative framework to deliver more efficient patient-focused services. After all, that is precisely what this proposition is all about; putting the patient first.

The Bailiff:

Do you put forward the proposition?

Deputy T.J.A. Binet:

Yes, please, Sir.

The Bailiff:

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

10.2 Health and Care Jersey Advisory Board and Partnership Board (P.52/2025) - Reference Back

Deputy J. Renouf of St. Brelade:

Sir, could I make my well-advertised move to invoke Standing Order 83?

The Bailiff:

You are first on my list to speak, so the answer is, yes, absolutely. You are entitled under Standing Orders to do that.

Deputy J. Renouf:

Thank you, Sir.

The Bailiff:

Could I just ask, Deputy, presumably untypically one waits for a proposition to be made before asking if there is a seconder? But in this particular case the notes to our Standing Orders suggest that the chair should ask if it is going to be seconded before there is a speech in connection with it. Is it likely

to be seconded? **[Seconded]** Yes, very well, in which case, yes, please do make your proposition for a reference back.

10.2.1 Deputy J. Renouf:

I do want to address this in a positive way. To counter the Minister's comments at the end there, I am not suggesting the proposition is a load of rubbish and I am not opposed in principle to a board. That is why I am proposing a reference back, rather than arguing at this stage to reject it. As I have said, the reasons for the reference back are I would like the Minister to provide, via changes to the terms of reference and through the report, greater clarity regarding the remit of the Partnership Board, the resourcing of the Partnership Board, the selection and role of the partners and the relationship of the Partnership Board to the Advisory Board, and I will provide more information on those in a moment. But the important point, I think, is that they do need a bit of thought and not just points that I think could be answered in the debate. If I could just preface this with a thought about what this is attempting to achieve, P.52 part (b) is about stakeholder management. It is one particular form of stakeholder management, nothing more. It is not an end in itself, I think. I think we can all agree that. It is designed to be a form of stakeholder management. The idea that we should improve stakeholder management is surely uncontroversial and a board of some kind may indeed be a way of achieving that. But to justify setting up the Partnership Board we need to be satisfied that it will work as a form of stakeholder management and do so without creating dysfunctionality. I think there are huge risks here of creating a new layer of bureaucracy with what at the moment is an ill-defined mandate, which could add to the noise around health policy and delivery, while also giving a significant voice to providers without necessarily providing a similarly powerful voice to users. I do think, as proposed, we do not have enough clarity about the issues that I have mentioned. In a way, this is not surprising because the Minister has himself made clear that the details of these proposals are indeed yet to be finalised. When we asked him about this in Scrutiny he said: "I do not think we can predetermine the complete direction of travel. I think we are going to have to run this for 12 months and see how it goes." The Minister, I think, is, in effect, saying the important thing is to get the ship in the water and set sail. We can make course corrections as we go along.

[14:30]

I would say in response you do not set sail in a leaky ship; this is a leaky ship. In fact there are many holes in the Minister's case, so many holes that I contend it would be dangerous to set sail without some urgent repair work. But I do think there is no reason why the Minister cannot put the vessel right in fairly short order, which is what the reference back is designed to achieve. It is also not surprising that the groundwork has not been done properly, as the Minister has also said he does not think there needs to be much in the way of detail because, and, again, I quote a comment he made to Scrutiny: "It strikes me as basic common sense that if you have a formal structure of people that are working together anyway to come together and make collaborative decisions, you are going to get better outcomes than having things as they are at the moment." In other words, the Minister's approach is based on the idea that his proposals are basic common sense. But I would contend that better outcomes are not guaranteed just because you have got good people in the room. All the Minister's proposition does is create a formal structure for consultation and advice. It does not remove the conflicts that are inherent in decisions around healthcare. They can only be resolved by creating clear operating rules. I want to make one point here briefly but maybe come back to it when we talk later. But it is worth being very clear about one thing, the Minister's board is not the same as the international examples he cites in the proposition. None of the boards he cites, as far as I know, advise Ministers on health policy. They are designed to plan and deliver content, taking into account local and regional context. For example, the New Zealand one is involved, I believe, in working out how to make sure that the Māori are integrated into proper healthcare, not health policy. Which brings me to the first point on which this reference back is concerned, which is clarity around the remit of the board. Because if there is one single thing that can improve the chance of success

for a board of this type it is clear terms of reference. It is a basic function of terms of reference that they should be limiting. But these terms of reference are not limiting, they are all encompassing. They include everything to do with service delivery and everything to do with health policy. I think all that is ruled out is the board cannot direct the Minister to do something he cannot do under statute, which is simply a restatement of a legal reality. If you do not believe me, have a look at the responsibilities and tasks on page 18 of the Minister's report and, in particular, point 4(c) in the terms of reference. It says that the board will: "Make clear recommendations to the Minister on matters, including the services that are needed in Jersey, now and into the future, how those services should be organised, priorities for change, workforce requirements, facilities and equipment requirements, medicine and medical device requirements, data, digital and technology requirements, legislative requirements and amendments." That is just one part of the terms of reference; there is a lot more that is included. There is also of course a full suite dealing with what you might call operational matters. What is best practice for terms of reference? That they set boundaries. As well as saying what is in scope, the terms of reference should say what is not in scope. Terms of reference that cover everything are meaningless, you might as well not have them. But they are also dangerous, in that they create multiple arenas for conflict and for overreach. As I said in the email I sent to Members, I have not attempted to rewrite those. I do not think Scrutiny should attempt to rewrite those terms of reference because it is for the Minister to determine. But there are some examples of what could be done; the ability of the board to investigate policy could be restricted to something that is in the Minister's gift. Not something that the board themselves decide which bits of policy they want to look in but something that the Minister decides. At the moment part 8(g) of the terms of reference say that the board may investigate anything it considers relevant; anything it considers relevant. I think a useful clarification about the remit of the board would be to delete that catch-all clause. What else could be done? The board could be limited to consider only items which engage more than one sector represented on the board. For example, there were changes proposed to pharmacies. Without the boards the Minister would, quite rightly, consult with the pharmacies. Now though that will go through the board, the board is the structure that is being set up for that, which opens up the possibility that the whole board might decide to look at that, they might want to take a view. This is adding complexity to a process that could be simpler. Was the remit of the board properly thought through? I think Scrutiny's report makes clear there is a huge risk that the board will attempt to cover too much, that it will spend a large amount of time trying to work out what it should look at and that, as a result, it will lack focus. Therefore, the first ask, if you like, of this reference back is that the Minister should provide much greater clarity in the terms of reference about what is and what is not in scope for the board to consider. We come to the second point that I think needs clarification. Perhaps you think I am wrong on this. Perhaps you think that the board should have these exceptionally wide terms of reference, that everything should be in scope; health policy and the delivery of health services and anything that the board considers, the full works. In that case, what about the resources that are available for this gigantic task? The board will be financed with £77,000 paid for out of underspends from the Advisory Board's budget. But that is to pay for attendance; that is wages, if you like. What is the budget line for research, for secretarial support, for data collection and evidence-gathering for producing relevant reports, all things with which the Advisory Board is well supplied? The answer is zero; a big fat zero. The panel at its recent hearing with the Minister asked the Minister about this and the answer was: "That the board would have access to departmental policy officers", for example. This is the same Policy Department that was so overstretched that it was not able to complete promised work, for example, on the termination of pregnancy earlier in the year, that has spent most of the last year pushing back against Scrutiny requests with the repeated refrain: "We do not have the resource." It is simply not realistic to expect significant support from department policy officers. The need is going to be great, given the remit of the board is so staggeringly wide. I think at the moment there is a huge mismatch between the ambition outlined by the Minister and the means to achieve it. The panel needs proper resourcing if it is to function. Anyone reading the papers that go to the Advisory Board can see the level of

information on which their advice to the Minister is based. Their reports are evidence-based and data-driven and that gives their advice credibility and authority. As things stand, the Partnership Board, on the other hand, will simply have at its disposal the background knowledge of its participants. I do not want to do that down, that is terrific, that is going to be really important and I think particularly useful when it comes to deciding those knotty issues of service delivery and so on and co-ordination of services and delivery of services; brilliant. But when it comes to policy I think the issue is different. It needs to be based on evidence. On the basis of what has been put before us, the board will not have the resources meeting 4 times a year to decide those sorts of issues with no other backup, other than what spare time is available from policy officers. The second request, therefore, is that the Minister should provide more information on the resources that were made available to the board and, frankly, provide more resources and show where they will come from in order to pursue its functions. The selection and role of members, again, I think there is some confusion here. Are the board members representative of their sectors or not? Point 37 says quite clearly: "They are not sector representatives and they are not required to facilitate cross-sector consensus." However, we have learnt - and thanks to the Minister's email, for which I am grateful - that he does expect them to be elected. They will be elected by their sector but not expected to represent their sector. I do not think this is very clear. The question arises around the person specifications, which might answer this. The Minister has criticised the panel in this regard and said, why did we not ask for them? We were told at a public hearing in May that the person specifications would be embedded into the terms of reference. There was no need to ask for them, they were going to be embedded into the terms of reference. It was only when the terms of reference were published that it became clear that they were not. Of course these person specifications have now been sent to us, about 20 minutes before this debate began, which I think does not really give us much of a chance to examine them. But it does give me hope, if this reference back succeeds, the Minister will not have to spend too long fulfilling the requirements of the reference back because some of the work is apparently underway. This question of defining roles and responsibilities is very important. One of the things the Scrutiny Report points out is the danger of provider capture, which occurs when government structures are disproportionately influenced by service providers to the extent that decisions reflect the interests of those providers, rather than the wider system or the patients in this case. That does make it sound sinister and it makes it sound like I am thinking that the providers are going to somehow be acting improperly and that is absolutely not what provider capture means. Provider capture is something that can happen very unconsciously. I know Members like to hear about my former career, but in my former career making television programmes we made science documentaries for the BBC and a new slogan came around which said that we had to put audiences first and, frankly, we found it a bit insulting. We thought: "We make science programmes and obviously we put the audience first." But it turned out when we were making those programmes that an upstart came along and started making science programmes in competition with us. It was called "Bodyshock" at the time; I was working on "Horizon" and they blew us out of the water. Because they had a very clear understanding of what the audience wanted. It was not stuff that I particularly was interested in. They produced programmes like "The Boy Who Gave Birth to His Twin", "Half Ton Mum" and "The Man with the 10-Stone Testicles". **[Laughter]** It turned out that we did not have a great understanding of what the audience wanted. We had a rather highfalutin understanding of what the audience wanted and we did have to refocus our attention on thinking about what audiences wanted, rather than what we thought just because we liked making these programmes this way we were making. I would contend that the question of provider capture fits into that category. Nobody seriously goes into a role like that thinking I am just going to stand up for my job, my people and nobody else's, but we are all prone to those kind of biases. The thing that can guard against those, those unconscious biases, is to establish clear rules around how conflicts can be dealt with. What will happen, for example, if there is a proposal to develop a new service inside H.C.J. but which one or more of the partners are already involved in delivering? Will partners be asked to recuse themselves, under what circumstances and so on? I think we are flying blind at the moment. As I

say, I have not had a chance to look at the information that was sent earlier; maybe that will answer some of those questions. Finally, there is the question of the conflict with the Advisory Board. The relationship with the Advisory Board is clearly going to be key, and it has clearly been thought about because the Minister tells us that the original thought was that the Partnership Board would be a sub-board, a sub-committee if you like, of the Advisory Board.

[14:45]

That was rejected after representations from the potential partners, I understand, I think on the grounds that they did not want to be subsidiary to the sitting Advisory Board and worried that they might be seen as having some responsibility for H.C.J.'s services if they were in that role. But the fact is that we have this proposition, without the reference back would simply leave that relationship to the good officers of the member of the Advisory Board that will sit on the Partnership Board, leave it as a thing for good people to work out in the best way they can. There is a reason why we have good governance and that is to put structures in place that help ensure good outcomes. I think the overarching feel that we get from the Minister's approach to this is that it is a matter of common sense and that it will be sorted out simply by having good people, the right people in the room with the right motives. I do not think that is the case. I think we need those clear guidelines around how this thing will operate. The Assembly needs those before it can vote on it, to be sure that those processes will work. Because the risks are very clear, even if I am not sure the Minister fully sees them, which is that we create a new bureaucratic layer, it has multiple sub-boards. In fact he has made the point that most of the work will be done by sub-panels of the main board. It will have a powerful voice in the Island. It will be sought out by the media for their opinion on things. It will be contacted by the public who will want them to address issues. They have an extraordinarily wide remit that would enable them to act on those requests or that pressure. The potential for conflict, therefore, with the Minister, with the Advisory Board, which may be heading in a different direction, may be considering the same things at the same time but from a different angle; those things are all potentials for conflict, which can be glossed over and just we think it will work out but I think I would prefer to put my faith in having clear terms of reference, clear job specifications, clear ways of dealing with conflicts resolution, clear ways of managing relationships. At the moment they are dealt with in the generality in the proposition, so that is why I have proposed this reference back. It is interesting that, as the Minister's report makes clear, the previous attempt to establish partnership boards fell because of concerns about lack of clarity as to function, purpose and workability. We are back in the same place, still dealing with that same issue. I do not think that the proposition as it currently stands, the detail around it, is sufficient to give this Assembly confidence. I do want to state that I very much value the work of all those whose organisations and bodies are involved in the health service. I absolutely support the idea that they should be fully involved in designing the health service and delivering care for patients and so on, the decisions around that. But I think that without further clarification the risks around this board are considerable and I do not see the huge issue with waiting. I will just address that point finally in my final comments, which is the Minister has made the point that we have had plenty of time. I do not think we have had plenty of time. These proposals were published on 24th June. What followed was 2 months involving periods when inevitably there would be absence over the summer. The panel published its report. It was forced to do a significant piece of work. It was partly because the Minister has not provided a lot of the background to this. It is not surprising that the report took a while to produce. We had it finished roughly, I think, at the beginning of last week. We chose not to publish it then because we wanted to hear the Minister's briefing and make sure that we could respond to any points raised in that. But I think that it is only just over 3 months since those proposals were published. The Scrutiny Report is a thorough piece of work. I do not think we should be criticised for that. But I do think, to return to the issue in hand with the Partnership Board, we need more clarity.

The Bailiff:

You are proposing a reference back. Just to make sure I have got that entirely right, you are seeking greater clarity on the role and remit of the Partnership Board. You want clarity relating to the resources available to the Partnership Board and the clarity in relation to the relationship with the Advisory Board with specificity.

Deputy J. Renouf:

The selection and role of the partners.

The Bailiff:

The selection and role of the partners. Very well. Is the proposition for a reference back seconded? **[Seconded]** Does any Member wish to speak on the reference back?

10.2.2 Deputy T.J.A. Binet:

I know this is not generating very much enthusiasm from anybody. It will come as no surprise to Members that I am not in favour of accepting this reference back. It is unfortunate that many Members may have not had time to read the comprehensive message that I sent them yesterday evening. That is simply because I only had notice of the intention to call a reference back yesterday at lunchtime. This state of affairs is exceptionally disappointing, given the time that has been invested in developing the proposition and the fact that Scrutiny has had ample time to work with me over the summer to resolve any outstanding queries. It may be the case that Deputy Renouf had the summer off, some of us did not and we have been available all the way through. This state of affairs, as Ministers will ...

The Bailiff:

Also, I have to say I think a personal observation about a Member's private time and private life is not appropriate in the Assembly.

Deputy T.J.A. Binet:

I apologise. I am sorry, Sir. As Members will be aware, we briefed P.P.C. (Privileges and Procedures Committee) on 2nd June about these proposals. This was followed by a P.A.C. (Public Accounts Committee) and Health and Social Security Panel briefing on 9th June, ahead of lodging the proposition on the 24th; that is more than 3 months ago. After lodging, Deputy Renouf requested that I postpone the debate, originally scheduled for 2nd September to today's sitting, which I was content to do, as it allowed additional time to scrutinise the proposals if required. I stand to be corrected, to the best of my knowledge the panel has not sought a single piece of advice or passed a single comment to me on these proposals over the course of that time. As such, it came as a great surprise to see the out-of-time amendment coming through and an even greater surprise to see the Deputy's comments, which appear to be incorrect and based on inaccurate assumptions. While I fully accept that any Member has the right to propose a reference back, it seems very hard to justify if absolutely no effort has been made to deal with the misgivings over a long 3-month period, when for some Members there was not a great deal going on. Even more difficult to justify, when one considers that the principal question cited as reasons to justify it were all answered comprehensively in the information supplied from the outset. As Members will have read, the areas that apparently require more information are the following: the selection and role of the partners, the remit of the Partnership Board, the relationship of the Partnership Board to the Advisory Board and the resources of the Partnership Board. Having answered these questions already and restated them in last night's email, I will not repeat them here. But it has to be said that if the Assembly were to refer this back I would have very little else to say. As I see it, the real problem here - and I do say this very respectfully - is that on the one hand Deputy Renouf is struggling to understand the need for or the methodology required to create a proper, if relatively basic corporate structure and on the other is wrestling with the tendency to put excessive process before practical application. I do not wish to be unkind but I can remind Members that this comes from a Deputy who is trying to put laws in place to make farmers

apply to have planning permission to have an 8-centimetre branch in tending to their affairs. The underlying truth is that our overall health system badly lacks a proper structure. The sooner we got on and employ one that virtually all service providers understand and have endorsed the better and the more effective and the more efficient the service will be. As I said in my introductory speech, the simple question is this: do we want unnecessary detail and endless delay or do we just want to get on with the job? I genuinely hope it will be the latter.

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

I just wanted to clarify, first of all, that the Minister mentioned that Scrutiny had had plenty of time to do their work on this. Just to remind Members that this is not a Scrutiny reference back. I completely understand Deputy Renouf's desire to ask for a reference back. He has explained his reasons for doing so very eloquently. The panel not being completely agreed on it does not mean that his reasons are not legitimate and should be listened to. Thank you, Sir, for raising the point about not commenting on Members' personal circumstances. I just wanted to put on record the fact that Deputy Renouf is a very hardworking scrutineer and extremely valued member of my panel. **[Approbation]** He has worked hard alongside us to scrutinise this and we have produced extended comments of 23 pages that go into detail into this proposition. I personally do not feel I can support a reference back at this time. I say this reluctantly because I would ideally have liked to support my vice-chair but my reasons for not supporting a reference back at this time are that I do feel that we have done the necessary Scrutiny work to be able to make a decision on this today. We have lodged an amendment. I think, rather ironically, the Minister said it himself, he does not think that there is a lot more to come back to us. That is part of the problem, is it not, that there perhaps is not the depth of consideration behind these proposals to come back to us with any further information? That is a problem in itself. I also do hear what the Minister is saying about wanting to get on with things and to innovate. My feeling is that were the panel's amendment to be passed, that that would be satisfactory to me personally. That is the course of action that I am going to take today, but I very much respect Deputy Renouf's rationale behind wanting to ask for a reference back. It is completely his prerogative to do so and he has explained himself very eloquently.

10.2.4 Deputy L.K.F. Stephenson:

I am pleased to follow my panel chair there and would just like to start by saying absolutely that I think the Minister opened with a complete misrepresentation of our Scrutiny Panel and the work that it has done. I would suggest that fundamentally it shows that the Minister just does not get what Scrutiny is. When I sat down to write the speech for this main proposition I had a clear plan and approach in my head, that I wanted to focus on a handful of specific areas of focus which concerned me or I felt needed exploring further, so that I could focus on them, keep it simple, highlight them and try to explain it in a really clear way. But when I started going back over the panel's comments, reread the proposition and the other bits of documentation, it was difficult to know where to start. The comments from the panel runs 23 pages for good reason; there is an awful lot to say. When I started writing a list of my outstanding questions, which remain in my own head about this proposal, I have to admit I gave up after 10 because it became obvious that I was still nowhere near finished and it could have just gone on and on and on. That is the point here, this proposal, as it is currently set out, almost raises more questions than it answers. The Minister's response to many of those questions has been and continues to be either: "Do not worry, we have got it all in hand, it will be okay" or: "Do not worry, we will work it out as we go along." But I am not convinced I could be. That is not to say I will not support a Partnership Board, and in many ways I really do want to. I want to support a model which aims to put community engagement at its heart. But there are still some outstanding questions, a number of them, and some really important ones and too few convincing answers. Clarity is the word that I keep coming back to. Where is the clarity? The Minister says he is being more than generous to the Scrutiny process but enough is enough now, it is

time to get on with it. “We cannot afford more delays, people have had enough; we just want action now.”

[15:00]

I am really sympathetic to those arguments and they are really attractive, particularly in a place like Jersey where we all know really well that change can be really painfully slow and within a political system which we have to say we are not known for being very nimble, are we? It is tempting to think of it as a refreshing change. But we are also an Island which, quite rightly, has very high standards, where public scrutiny is very, very intense, where mistakes are not easily forgiven, where blame culture is rife and, as a result, risk appetites are typically low. Accountability, clarity and transparency are, therefore, even more important and due process plays a really important part in ensuring good governance, even from the very beginnings of a project. The gaps in this proposal that remain are not ones that could have been filled by more work by Scrutiny. These are not Scrutiny’s questions to answer. They are for the Minister and his team to fill the gaps and, I have to say, not to fill them via email or even on the floor of this House but in the proposition and the report itself. That is an important and transparent record of public interest and one that stays there for many, many years for us to return to. If I am to give this proposal my vote in the Assembly, I want to be sure I am making the right decision for our Island. Having considered as much information at my disposal as possible, I want to be able to tell my constituents that I thoroughly considered the matter on their behalf, not that I was forced into making a decision on half the information because we just need to get on with it. P.170/2010, which is referred to in the Minister’s proposition and is part of why this is being brought to the Assembly in this form, is very clear that the creation of bodies and boards, which met certain criteria like this one, have to come to the Assembly for approval to ensure appropriate checks and balances of democracy. The questions raised by Deputy Renouf are legitimate and important ones. I, therefore, ask Members to allow those appropriate checks and balances to take place by supporting this reference back.

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

I read the proposition and Scrutiny’s report with interest and could see a lot of work has been done on both sides. I think Deputy Stephenson has raised a fair question about when does the job of Scrutiny ever end. Because the fact is, as I have said in a previous debate, the devil is often in the detail. At the same time, how much detail can be sorted out before an actual change takes place, change that perhaps people want, change perhaps that the electorate wants? When I was looking at this matter I also looked at the Comptroller and Auditor General’s report on the governance of health. I do not know if all States Members know the date of that. I can see some do, 2018. I was a lay member of the P.A.C. at the time and I doubt that many Members have even had time to look back at this report. I suspect Scrutiny have because of course it is relevant to the governance arrangements of Health. But I am just going to remind people that this report mentioned it was: “In 2016 the Council of Ministers asked the Minister for Health and Social Services to review the strategic governance arrangements to ensure Jersey’s most effective health and social care system for the future. Following support from consultants, the proposal for a powerful system Partnership Board with public and patient representatives was developed but subsequently withdrawn.” Why was it withdrawn? The reason it was withdrawn was because the States Assembly at the time said that they rejected on the basis: “That the Ministers had failed to consult the Health and Social Services Scrutiny Panel, the Public Accounts Committee and the Privileges and Procedures Committee before establishing a remunerated board.” Anybody getting a sense of déjà vu here? This proposal started off in 2016 and here we are, we still do not have enough detail. I do expect the Minister for Health and Social Services to provide that detail and I do expect Scrutiny to keep asking the questions. But I cannot support this reference back; the reasons that I do believe that we need to get on with it. I do believe that the Partnership Board is essential to improve our health service, which at the time of this report, and there was a States Assembly proposition that supported the report that had been created,

and do you know what it said? It said our health system is not sustainable, the cost of it is not sustainable. The actual Comptroller and Auditor General's report said the health system was not fit for purpose; we cannot continue like this. I will support the Minister for Health and Social Services in this in getting on with it.

The Bailiff:

Thank you very much. Does any Member wish to speak on the proposition on the reference back? If no other Member wishes to speak, then I close the debate and call upon Deputy Renouf to respond.

10.2.6 Deputy J. Renouf of St. Brelade:

Perhaps I made a mistake when I approached the speech on the reference back. I thought that the best approach would be to focus on the specifics of the proposition and the detail of the reference back. Perhaps I should have spent more time on other matters. It is tempting to leave that path but I will resist temptation. Because this debate is the only chance this Assembly will have to discuss some of the details around this proposition. It has gone through with remarkably little comment so far. I make no apologies for bringing that reference back. I do want to push back against this idea that because 10 years ago somebody suggested some form of stakeholder engagement vaguely similar to what is being proposed, that we should now adopt the specific proposals put forward by the Minister. The issues are different and we cannot have a situation where weak proposals are pushed through purely because in the past other people have also made weak proposals. That is not a recipe for good governance. But I have made very clear that I am not against the principle of a Partnership Board and I am certainly not against the principle of improving stakeholder engagement and involvement in the delivery and co-ordination of services. My intent with this reference back is to improve the proposition in order that it will deliver that and not deliver some of the dysfunctionality that could arise from the fact that the remit is so incredibly broad. The Minister did not address that in his speech. He said nothing about the extraordinarily wide remit of the board, the fact that it is a self-selecting remit. He has not addressed the conflicts that could arise as a result of that. He has not addressed the resourcing implications that arise from the board having such an extremely wide remit. These are all problems that I think we can assume from the comments I quoted in my speech, he thinks can be worked out down the line. That is not good governance; good governance is to set in place structures which ensure that something has a reasonable chance of success. The Minister characterises my position as being one of an excessive desire to tie people up in knots or some equivalent; that is not my intent. My intent in approaching this is to ensure that the processes are in place that any normal board of this type would have; any normal board. The Minister says if this reference back passes he does not know what he would add. I bet his officers know what they would add because the processes and procedures around these kind of boards are very well understood. They do involve setting terms of reference which are limiting, not terms of references that are so broad that they can encompass everything. They do involve matching resources to ambition and they do involve clear definitions of the roles and responsibilities of the people involved to ensure that conflicts are managed, to ensure that relationships are dealt with within a framework, not depending on the goodwill of the people involved. Despite all the ambitions of people to behave in a way that would be positive, the fact is that conflicts are inevitable. The Minister, I think, has accepted in one of our hearings that the board will become the focus of those conflicts and does not get rid of those conflicts. Those conflicts still exist, they do not disappear because a board is created; they transfer into the board. It is incumbent, I think, on the Minister to provide some detail about how those kinds of conflicts around different service providers, different new services that might be provided, services that may be stopped in the future, if they are going to be dealt with by the board, that there are processes in place for understanding how the board will approach them, what limits will be placed on their work and so on. I think it is a very reasonable reference back that is designed to help make the board work better. It will give the Assembly a second chance to look at it and see what those refined proposals look like. The chair of the panel correctly pointed out that this is a personal

reference back. It is not a panel reference back. I note that she identifies exactly the same issues with regard to the board around lack of clarity, around the problems that there simply is not enough clarity around the roles and responsibilities, resourcing and so on. She simply takes the view that that can be dealt with in a different way, and we respectfully disagree on that. I think that there is very little to be lost from this reference back. The Minister will of course not want a delay but it would be a matter of 3 to 6 weeks, one to 2 sessions for a process which began just 3 months ago. It is a reasonable request. If followed, I think it would lead to a better outcome in which the Assembly could have more confidence. I move the reference back and call for the appel.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on a reference back of P.52, to provide information specified by the proposer. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting. The proposition has been defeated:

POUR: 11		CONTRE: 35		ABSTAINED: 1
Connétable of St. Lawrence		Connétable of St. Helier		Connétable of St. Martin
Connétable of St. Clement		Connétable of St. Brelade		
Connétable of St. Mary		Connétable of Trinity		
Deputy I. Gardiner		Connétable of St. Peter		
Deputy K.L. Moore		Connétable of St. John		
Deputy H.M. Miles		Connétable of Grouville		
Deputy J. Renouf		Connétable of St. Ouen		
Deputy H.L. Jeune		Connétable of St. Saviour		
Deputy A.F. Curtis		Deputy G.P. Southern		
Deputy K.M. Wilson		Deputy C.F. Labey		
Deputy L.K.F. Stephenson		Deputy M. Tadier		
		Deputy S.G. Luce		
		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 L.J. Farnham		
		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 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 B. Ward		
		Deputy M.B. Andrews		

10.3 Health and Care Jersey Advisory Board and Partnership Board (P.52/2025): amendment (P.52/2025 Amd.)

The Bailiff:

The main proposition has been proposed and seconded. There is an amendment to the proposition lodged by the Health and Social Security Scrutiny Panel. I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

Page 2, paragraph (b), after the words “accompanying the proposition” insert the words “, except that in paragraph 1 after the words “It is a non-statutory board (i.e. with no legal powers)”, there should be inserted the words “These terms of reference are valid for a maximum 18-month period. At the end of that period the Minister, following review of the board’s activities, performance and membership and with the agreement of the Assembly, must determine whether the board should (a) continue to operate under these terms of reference or amended terms of reference or (b) be disbanded.”

The Bailiff:

Is Deputy Doublet online?

[15:15]

10.3.1 Deputy L.M.C. Doublet of St. Saviour (Chair, Health and Social Security Scrutiny Panel):

Yes, thank you, Sir. I hope Members will forgive me for joining online. I have managed to hop on after my medical appointment. I will speak briefly to propose this amendment and I know that my panel members will also want to speak. I wish to propose the amendment which has been agreed by the panel and it follows the 23-page comments paper that we presented. We felt that this was a moderate amendment to make, which makes the initial appointment of the Health and Care Partnership Board limited initially to an 18-month pilot period. This is sensible for several reasons, many of which have been raised in the reference back debate. The panel is not yet convinced that the establishment of the board has had sufficient and rigorous analysis and previously, as I have mentioned, the common-sense approach ... sorry, am I still being heard?

The Bailiff:

Yes, we can hear you now; you did go quiet for just a moment, but I think we are okay again.

Deputy L.M.C. Doublet:

I will continue. The 18-month timeframe would provide a structured opportunity to assess the board's effectiveness and fitness for purpose and identify and address any governance concerns that would arise and avoid exposure to unforeseen possible inefficiencies. I think given the concerns that have been raised in our comments, this approach would allow time for this new board to bed in. It would mean that the Minister is not held up in the actions that he wishes to take because I completely hear what he is saying about wanting to make change and to work slightly differently and to do that quickly. This is not going to delay anything at all. What it does allow is for that check and the balance and for the decision-making power on whether the board continues to rest with the future States Assembly, which the panel believes that is where it should rest. Something that is as all-encompassing in scope as this board for an area that is as important as our health service, there should be a touchpoint whereby it returns to the States Assembly for confirmation. Indeed, there is precedent for this. The Advisory Board itself was subject to an amendment from Deputy Feltham which proposed exactly the same length pilot period of 18 months. That at the time was welcomed by Government and it was something that was supported across the Assembly and was seen as sensible and giving that balance of allowing a Minister to innovate and to make those new measures as proposed but also having that touchpoint in 18 months. I hope that the Assembly will see this as the evidence-based balanced amendment that it is. It is based upon all of the evidence that we have scrutinised and put in our comments paper. We see this as a very reasonable approach to take and one that empowers the future States Assembly in this respect.

The Bailiff:

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment?

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

I rise to speak in opposition to the amendment lodged by the Health and Social Security Scrutiny Panel. While I acknowledge the panel's intent to introduce a cautious framework for oversight, I believe this amendment risks undermining the very progress we seek in reforming and strengthening governance within Health and Care Jersey. The proposition before us aims to establish a non-statutory Health and Care Partnership Board, an entity designed to bring together diverse voices, foster collaboration and provide strategic guidance to a sector that touches every life in our community. It is a proposition rooted in the recognition that our health and care services require not only operational excellence but also thoughtful, inclusive governance. The amendment, however, introduces a sunset clause, a pre-determined 18-month expiry before the board is even convened. It mandates a review and a decision to either continue, amend or disband the board. On the surface this may appear prudent but in practice it sends a signal of hesitation, of conditional support and of institutional fragility. It risks reducing the board to a pilot project rather than affirming it as a cornerstone of our health governance architecture. We must ask ourselves what message does this send to those we seek to engage: clinicians, carers, patients and community representatives. What confidence can they place in a board whose existence is time limited, whose mandate is provisional and whose future is uncertain? Governance thrives on clarity, continuity and commitment. This amendment offers none of these. The rationale provided by the panel that insufficient analysis has been undertaken and that the board's creation rests on common sense is, I believe, a mischaracterisation. The proposition is not a leap into the unknown, it builds upon the existing Health and Community Services Advisory Board established in 2023. It draws from lessons learned, from stakeholder feedback and grown consensus that our health system requires more than departmental oversight, it requires partnership. To impose an arbitrary review period is to pre-empt failure. It is to assume that the board may not deliver before it has even begun its work. This is not how we build

resilient institutions. We do not ask our schools to prove their worth in 18 months, we do not ask our courts to justify their existence after a trial period. Why then should we treat a governance board tasked with shaping the future of health and care with such conditionality? Let us also consider the practical implications. Reviews require resources, they demand time, attention and administrative capacity. They can distract from the very work that the board is meant to undertake and, should the Assembly decide to disband the board after 18 months, we risk losing momentum, eroding trust and reverting to a fragmented oversight. I do not oppose evaluation and I welcome scrutiny but evaluation must be embedded, ongoing and constructive, not tethered to a countdown clock. The Minister already holds the authority to review and refine the board's terms of reference. The Assembly retains its power to hold the Minister to account; these mechanisms exist, they are sufficient. We do not need an amendment to duplicate them. We are at a crossroads. We can choose to empower the model of partnership, one that reflects our shared commitment to health and well-being, or we can choose to constrain it, to bind it with caveats and to treat it as an experiment. I urge you to choose the former. Reject this amendment, let us affirm our confidence in collaborative governance, let us give the Partnership Board the time, the space and the stability it needs to succeed.

10.3.3 Deputy J. Renouf of St. Brelade:

I think it is worth responding to some of the points made by Deputy Ferey which are such a bad misrepresentation of what the Scrutiny Panel is proposing. It is worth recalling that the Advisory Board was subject to a similar 18-month period and we have got a track record here. The Advisory Board has not stumbled because it was facing an 18-month review, it has not been handicapped by the fact that it knew that that review was coming up. Indeed, these kinds of things are completely normal in a situation where you are setting up a new service. Deputy Ferey referred to would we put a similar 18-month deadline on the courts or the schools. Well of course not, they have been running for centuries in the case of the courts, and one or 2 centuries in the case of schools. We do not need to do that because there is no need. We know this is a strawman argument. The reason why we suggest putting this limit on this is really twofold. The first is, it is a prudent step when setting up a new organisation, to review it. That was the case with the Advisory Board; it happens completely normally, and so on. The second is, as my attempt to reference back showed, and I think there is general agreement at least with this point, a lot is still to be worked out with the Advisory Board. The Minister has been quite open about that. Where there is still a lot to be sorted out, that is a very different situation to the one that Deputy Ferey attempted to draw illusions to. The other point is that he tried to argue that the checks and balances are already in place because the Minister has this power already to review. The central point of this amendment - the central point - is that we believe that the Assembly should have a chance to review, that it should not just be in the Minister's gift. I think that is very important, particularly as the review period will fall under a new Government with a different Minister, and we could find it useful. The new Assembly could well find it useful to have that review, given that a new Minister may be taking a different view about it. Evaluation is built in anyway and all this is doing is saying that that should be brought to the Assembly to make a decision. There is an argument put that this will somehow put off people who are thinking of applying. They might think there is no point because this is only provisional, that somehow they will be turfed out in 18 months' time. Well, I would say that they probably are not involved very much in Jersey politics then because it is perfectly normal to see these kind of review arrangements. Anybody putting themselves forward for a role in this Partnership Board will fully expect to be scrutinised, will fully expect their actions to be under review, as indeed is allowed for in the proposition, the only difference with the amendment being that it is the Assembly that will take a view as well. The idea that this is some kind of barrier that people are going to feel frightened of is a nonsense, I think. I would suggest it could work the other way around, that the point of having a review, knowing there is a review and knowing that the Assembly is going to be looking at this in the future, might well focus minds. It might well encourage the members of that board to take an exceptionally positive view to work at pace, to be constructive because they will know full well that they do not only have

to please the Minister, they have to satisfy the Assembly that their work is meeting the required standard. I say that, and I do not mean the required standard as if there is some kind of A-level pass or something here, what I mean to say is that they will know their work is going to be assessed in a way that means unless it is showing to be adding value, then there is a risk to the existence of the Partnership Board. Is that not as it should be? Because if it is not plain to this Assembly that it is adding value, then it should surely be the case that we are able to review it. Now, the Minister has made a comment somewhere, I cannot remember where, that the ... sorry, I have lost my train of thought; I will look down at my notes. What is lost, I would say, if we pass this amendment, the strawman argument falls away; the idea that this will deter people I think is a complete non-starter. The work of reviewing the functions of the board is promised in the proposition anyway, so it does not require any new extra effort, it simply means that the board will be subject to review, not just by the Minister, but by this Assembly.

[15:30]

I have remembered the point that I was going to make. The Minister suggested that any Member of this Assembly would be free to bring a proposition at any point. That is a completely different business to putting in an 18-month review period. The barrier to entry for a proposition from a Member to cancel a board is a completely different kettle of fish. An individual Member does not have access to the resources of the Government, an individual Member is not able to review the actions of the board in the way that a review mandated by this Assembly to be brought by the Minister would do. It is a completely different kettle of fish and is not something that acts as an alternative to this Scrutiny amendment. It seems to me that it is an entirely modest amendment with a process that has already been tried and tested in the case of the Advisory Board. It imposes almost no costs on the process that is already promised and simply means that the Assembly can pass a view after 18 months, as it has done, and will do. I notice there has been no comment at all on the Advisory Board part of this proposition so far; that is how simple it can be should the board be functioning. This proposition simply makes sure that that stopgap, that backup option is available and builds it in. Again, perfectly normal good practice.

10.3.4 Deputy P.M. Bailhache of St. Clement:

I rise to support the amendment which is based upon my reservations about this proposition. My reservations are threefold. Firstly, I am not sure that gathering together a very large number of people around a table is the most effective way of ensuring that all relevant voices are heard. Secondly, as Deputy Renouf has said, the terms of reference of the board are extraordinarily broad. Thirdly, my third reservation is: is the board the right approach? Dealing with the first reservation, the board membership will be a minimum of 12 and a maximum of 21. In my view it is very difficult, if not impossible, to have a sensible discussion with that number of people. Interestingly, in the email which was circulated earlier today by the primary care body, the same point was made. It is the first point that they made: "Workable size. The board must be small and flexible enough to work efficiently." That, it seems to me, is not what is proposed. The second reservation in relation to the terms of reference and their extent is made clear, I think, by the terms of reference themselves. I am looking at page 17 of the Minister's report which says: "The Partnership Board members will work together (a) to understand the health and well-being needs of local people through examination of available information and evidence, (b) tackle complex challenges including: how to provide all Islanders fair, affordable access to health and care services; how to support Islanders to stay healthy and well and economically and socially active; how to provide for those who need treatment, care and support; how health and care services will work together; how to deliver the right service in the right place at the right time; how to support our health and care workforce; how to make best use of our equipment and facilities." It seems to me to be a pretty fair description of the political responsibilities of the Minister. I will only say that if the Partnership Board engages in all that sphere of activity, it will need a bureaucracy considerably greater than what is proposed. I think Deputy

Renouf made the same point in relation to the stresses under which the bureaucracy currently works. It is true that the report says that the terms of reference will be reviewed by the board within 6 months of its establishment and thereafter every 12 months, which is all well and good, but I would have preferred to see discrete terms of reference which could be embodied in 3 or 4 sentences. It gives rise to the question: what is the main purpose of the Partnership Board? Is its main purpose to improve discussion and communications between all healthcare groups in the Island or is it to be responsible for future healthcare strategy? It seems from the terms of reference that it has both those purposes but they are, if not in conflict, they are certainly quite separate, one of which is a very substantial undertaking in itself. The third reservation is: is the board the right approach? Here I have been influenced by a conversation with my good friend, Deputy Barbara Ward, who sits in front of me. If the board concentrates upon specific issues a few at a time and gathers around the table only those who have an interest in that specific issue, I can see that the Partnership Board might work. The administration is key, ensuring that the right people are talking to the rest of the right people. Only those near the top of the organisation are well-informed enough about all the manifold activities of the Health Department to do that. If they can do that, if they can put the right people in touch with the right people, do we need a Partnership Board? Is it really not possible to engage the primary care body for G.P.s or the pharmacists or any other part of this huge organism in discussing issues which concern them? Now I concede - and the Minister, I am sure, will be pleased to hear this - that I may be completely wrong. I am a mere lawyer and I am not in any sense an expert on the way in which the Health Department works. It may be possible for the Partnership Board to work out some *modus operandi* which makes sense and which is doable and constructive. That is why I support the amendment. The amendment is, if I may be a little crude, a "suck it and see" kind of enterprise. The Scrutiny Panel's recommendation to the Assembly is that the Assembly should allow the Minister to bring this forward to see how it works and at the end of a period of 18 months to review it. If it is working, fine; if it is not working then wind it up and do the process of getting the department to work well together in another way. The Minister has lodged a comment upon the panel's amendment which suggests that there are already provisions for a review, a requirement for the board to review its terms of reference, which I have touched upon, a requirement for the board to publish an end-of-year report, a requirement for the board to undertake further periodic reviews if the Minister thinks that appropriate, and the Minister's ability to disband the board with the agreement of the Assembly if necessary. Those are different, in my view, from the wholesale review of the operation of the Partnership Board and how it is working in fact and in practice, which is what is proposed by the Scrutiny Panel. That is the purpose of the amendment: give the Partnership Board an opportunity to prove itself and if the reservations are not well-founded, then all well and good.

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

I am afraid I do not support the panel's amendment. I think it is unnecessary and disruptive to the successful formation of the Partnership Board. For those Members who have read the terms of reference set out in the proposition, they will see that they already include robust arrangements to review the board. There are 4 - and I will not repeat them - I was going to read them out but Deputy Bailhache has already done that. These existing mechanisms provide for full transparency as to the board's performance and will support any review that the Minister or the Scrutiny Panel wish to undertake without the requirement to engage the Assembly unless they have reason to do so. I have absolutely no doubt that introducing a rigid review point will undermine the confidence of all the prospective board members, especially the G.P.s and service providers who for so long have had limited and sometimes no trust in the Government, and often for good reason. Having spoken to several, I know that will discourage community providers from acting as board members. To them, and indeed to me, the amendment smacks of another case of "Government knows best", notwithstanding the fact that every one of the consultations understood the concept and were keen to get moving and make it work. They will now be facing the prospect of political judgment before they even get to the starting blocks, if indeed they still consider it worthwhile. In my view, this is

unnecessary and unwise. Most importantly, the proposed amendment is deaf to the voices of these community-based health and care providers who have long wanted more equity in decision-making, often call for a more collaborative structure, and frequently express concerns that our ability to deliver long-term change across the entire health service is hampered by short-term political intervention. I did have other things to say but I think I will leave it there and urge Members to reject the amendment.

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

“Unnecessary and disruptive”, they are the words of the Minister for Health and Social Services in his official comments to this amendment and we have just heard again in the opening of his speech just now. It is interesting to compare it to the closing remarks of the former Minister for Health and Social Services in her concluding speech on P.19/2023 when the Health Advisory Board was set up. Deputy Wilson described an amendment brought by the then P.A.C. chair, Deputy Feltham, to introduce an 18-month trial period for that board as a “helpful and collegial amendment”. In fact, it is that amendment which has led to part (a) of this proposition being debated today after what I think many will agree has been a very successful introduction of a board which has been found to be working effectively in all kinds of ways. I would just like to take a moment there to reflect on that point and thank all of those who have been involved to date in the establishment of the Advisory Board and its work so far. For the record, part (a) of the main proposition has my absolute support. What I would note, however, and before I move on to part (b) - and I mention it because I do think it does have relevance to the approach that has been taken in the second part as well - is that part (a) refers to the need as a result of P.170/2010, which I referred to earlier, for the Minister to consult P.P.C., P.A.C. and the Health and Social Security Scrutiny Panel prior to lodging this proposition.

[15:45]

I sit on 2 of those bodies, P.P.C. and the Scrutiny Panel, and I therefore attended 2 briefings on the matter, but they were briefings, and the Minister himself referred to them as briefings in his speech earlier today. I was not consulted on either occasion and I raised that at the time. I was told that the approach met the intended aim of P.170, but we will have to agree to disagree on that one. My understanding of the concept to consult with someone is that it involves some kind of active participation, that you are seeking advice from them, conferring with them, having a discussion, but anyway. Back to part (b) and the plans for a Health Partnership Board and this amendment. Far from trying to be disruptive or unhelpful, the panel, in bringing this amendment, is seeking to be constructive and to find a balanced way forward which provides Members with some comfort as they look to make this decision, that they can look back and review it in 18 months' time. That approach we can see has worked well with the Advisory Board; why would it not work in this case? The Minister says that while the 18-month period did not prevent recruitment of the non-executive directors to the Advisory Board, the same should not be presumed for local providers. That may be so but without any firm evidence either way, we should also not presume the opposite to be true. In his comments to this amendment, the Minister states that there are already various review procedures in place. Deputy Bailhache has just referred to them; the Minister said he was going to but would not bother reading them out once again. I do not want to repeat but all 4 of those refer to “the Minister” can then amend the terms of reference, “the Minister” can publish a response to that end-of-year report, “the Minister” determines whether the performance is appropriate, and so on, “the Minister’s” ability to disband the board with Assembly agreement if necessary. “The Minister” is the key phrase in all of those measures; the power rests with the Minister but today that Minister, the Minister, is asking all of us to agree to this, for this Assembly to give the Partnership Board its backing. I mention again the purpose of P.170 to ensure the appropriate checks and balances of democracy. It is why I believe it is really important that this Assembly has a say in the review procedures and it has an opportunity to take stock in 18 months, as we have done with the Advisory Board, because again it is this Assembly that is being asked to agree this proposition today. It is all well and good saying that any Member can bring a rescindment or a proposition to change or remove

the board at any point but we know that in reality the bar is set very, very high for such a move and something would have to have gone very seriously wrong, I believe, for an individual Member to be moved to bring a Private Member's proposition to get rid of such a body. Even if they did, the Assembly would likely demand an extremely high burden of justification. It just simply is not a realistic argument. I take a slightly more pragmatic view than those such as the Friends of Our New Hospital group who I believe emailed all States Members to raise their own questions and concerns. They have got their own list of outstanding questions and conclude by saying that ultimately, if the board is to form strategy, then they do not believe it is the right structure, organisation or budget. I am encouraged by the show of support from the third sector and think we are lucky to have such organisations and people willing to engage as part of them within our community. I do not doubt that everyone is on the same page here in wanting to do the very best that they can do for the health and care for the people of Jersey. I will say again, I really do want to support an approach that puts community engagement and stakeholder involvement at its heart, but I am concerned about the lack of resources for the proposed board, about realistically how much it is going to be able to do in the limited time set aside. Even producing a work plan could take all 4 half days set out for the annual meetings. I worry about the risk of creating a new clique. Will the board mean the Minister is less likely to engage with others in the sector, even if they may have a differing view to their representative? They are to be a voice for the sector but history has taught us it is not always that simple; there is always politics with a small "p" in all organisations in a community. Will others be told that their route to sharing ideas and feedback, that is their only route via the board, and have no access to policymakers and Ministers as they currently do? The lack of dedicated resources concerns me. We are so often told there is very limited resource within our Health Department, particularly when it comes to policy development and the budget raises questions. Using underspends now and keeping that spend relatively low at £77,000 is all well and good but this proposition effectively asks this Assembly to sign a blank cheque. I will read from the proposition: "The Minister must assess the resources required for the Partnership Board to operate. The Minister must arrange for those resources to be made available. This will generally be within existing H.C.J. budget allocations or with the agreement of the Council of Ministers, the Minister must ensure the resource requirement is set out in the Government Plan." I flag that here today because this Assembly is being asked to endorse that statement and agree to it. You could argue that some of us are overthinking this, that it is a forum for sharing views, ideas and feedback, that anything that gets the right people together in the room and simplifies the landscape in this area can only be a good thing. When you look at the proposition, it is not just a forum. The responsibilities and tasks states, among other things: "The board will work to resolve day-to-day barriers and oversee delivery of agreed solutions." That is just one example; that is a lot more than just being a forum. To make this a success and for it to truly improve the health and well-being of Islanders and access to care and services, the Partnership Board needs, in my view, to be as robust as possible, and last certainly beyond this political term, hopefully beyond the next, and long into the future. Introducing an 18-month review point by this Assembly will only help to strengthen that process and it gives Members of this Assembly some comfort when making their decision, especially when there are areas of concern and outstanding questions. I can be comfortable in voting for this proposition if I have that opportunity. Deputy Ferey questioned what message it would send if this Assembly approves this amendment. I would say it sends a very sensible one that pilot project, or however you want to term it, that is okay. It is fine, it is a very well-tried and tested method, we do it all the time. There are a couple of examples of shadow boards that have been extremely successful, which is a very similar approach if you just call it a different name. The Housing Shadow Board became Andium Homes. The Sport Shadow Board became Jersey Sport. There are numerous others at all sorts of level in Jersey and elsewhere. I will just conclude by saying I think there is some scaremongering going on here today and I fear that there is a certain group taking a position and digging in their heels, and I really do question why and in whose interests is that.

10.3.7 Deputy I. Gardiner of St. Helier North:

My speech will be much shorter because my dear colleague, Deputy Stephenson, pointed to and raised most of the comments. My question to all Members sitting here: what has changed? I decided to go to Deputy Feltham's amendment and looked at the vote. I would like to check if every Member in this Assembly remembers how they voted on the amendment requesting an 18 months' period. Forty-nine Members voted for it. If somebody can explain to me what has changed. Do we have more clarity now than we had then? What has changed? We are not saying no for the Partnership Board; the Partnership Board would go forward. We are saying thank you to the people who would participate, we know there are no delays, but it is a basic, basic, basic, prudent approach from the Assembly. What has changed apart from the Assembly saying: "Trust me, everything will be fine" instead of saying: "Let us work together"? When you consider the vote and if you can put your hand on your heart and say: "Do you 100 per cent know that £77,000 will be more than enough to deliver everything that is referenced in the terms of reference?", it would deliver if you are 100 per cent sure, yes. Are you sure how the conflict of interest will be managed? I am not. By the way, P.A.C. and Scrutiny, I was at the briefing, and I am grateful for the briefing, but it was a briefing. During that briefing I have raised exactly the same concern with the Minister how members will be selected, how the conflict of interest will be managed, how the charities that will not be represented on the board will be presenting their voice, and we will know what this means. It still remains as a question mark. I hope it would work but I do not know and I would like to have another debate like we are having now on the Advisory Board. The question is, none of us are saying the Partnership Board is a wrong idea, none of us are saying that we do not need to work in the partnership, but before we commit definitely, in practice the amendment ensures 18 months of review and it should come back to the Assembly. It should be demonstrated that the board is fit for purpose, as any other board. It is not a delay, it is a prudence, and I would expect Members to ensure that we are making a decision based on the full evidence presented at least after 18 months to review.

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

Deputy Gardiner asks what has changed. I think there is quite a difference in terms of the history and the trajectory of the Advisory Board and this Partnership Board. I am going to point back to the time that the Advisory Board was set up by the previous Minister for Health and Social Services. It was quite a radical proposal at the time, who were these people coming in and this sort of thing, and indeed controversial. What was interesting, and I think has been the cause of some disappointment, perhaps, strong emotion within the States Assembly, was that her foresight, her decision was supported by the next Government following a vote of no confidence where this matter was raised. That is what happened and it still is supported but the Partnership Board has a different history, at least as far as I can see. I go back to this proposition in 2012 that was approved by the States Assembly, which was to approve the redesign of health and social services as outlined in a report dated 11th September 2012 and requesting the Council of Ministers to bring forward proposals for priorities for investment in hospital services and detailed plans for a new hospital. Gosh, remember that? There was also the proposal to develop a new model of primary care, including general medical practitioners, dentists, high street optometrists and pharmacists. That is where there is something really quite different there. This was the start. The actual report that got approved by the States Assembly was headed: "The need to redesign health and social care in Jersey" and was looking at what was regarded as a more integrated system because basically the health services were being driven more or less by the hospital management. Let us just say we had charities like Family Nursing, we had the doctors, these people who felt that they were not being budgeted adequately, they were being left out. What happened then? Well then there were proposals for this primary care model. What happened then? There were objections because, guess what, Government did not consult adequately with those services who were outside this hospital-dominated management.

[16:00]

All of this of course was also recognised in the report of the Comptroller and Auditor General for the need for a redesigned health service that has become more and more crucial and urgent, as recognised by the Jersey Fiscal Policy Panel, as we recognise even now as we have had to re-base the Health budget. Now, when I spoke to some people within the health community about: “Well what is the problem with this primary care model?” people who were outside the hospital management, outside the Government, but nevertheless delivering care in the community, some of the actual statements I had were: “Well where is the needs analysis? Where are the gaps in our system?” These people are saying: “Well this is how we have to deliver as professionals. We cannot see that this is going on in a way that will enable us to have confidence in this and it just is not really properly involving us.” Now, I know that some people have raised this apparent confusion, that you have got a Partnership Board where people are from different sectors there to give a view, a particular viewpoint, but they are not representing a sector. Well how do you do that anyway? Even I, as a States Member, cannot represent everybody all at once often; sometimes I have to take one view or the other. What sort of burden would you be putting on people in terms of saying you represent them? That is not to say they should not consult, there still are these other bodies, but for me I think that what is being overlooked by the Scrutiny Panel which has new people on it who perhaps have not looked back at this whole history, is that this is not something like the Advisory Board. This is something much more about the integration of a health service. When the Comptroller and Auditor General pointed out that we have been using models evolved in the U.K. that the Island could not afford, we needed an integrated service. We needed people who were delivering services outside the hospital to feel comfortable that they at least were getting some sort of proper voice heard in all this and not being pushed aside by perhaps managers who were focusing more on the hospital and thinking that was the number one thing to be dealt with. While I respect the work that has been done by Scrutiny - my apologies to those who have been in the States Assembly a long time and perhaps remember all this history - I would very much urge rejection of the amendment just so that we can have people in place from these different areas of the delivery of health services. We cannot have them all, it does need to be a manageable number, but simply to have people with that expertise informing - I think even the report was headed something like “The way forward for health” or something - the proposed new way forward for health and social services. Let us carry on and get forward.

10.3.9 Connétable K. Shenton-Stone of St. Martin:

In fear of repeating what has already been said, I am keeping my speech short. I would just like to make it clear that I am in favour of the Partnership Board and I would really like the Partnership Board to work. I am concerned about the lack of resources, along with other concerns, which the amendment seeks to address. I concur with what my fellow members of the Scrutiny Panel have already said. If I thought that this amendment was unnecessary and disruptive, I would not and could not support it. I hope that Members will see that this is a sensible amendment which seeks to improve the proposition and I urge Members to vote for the amendment.

10.3.10 Connétable R.D. Johnson of St. Mary:

I do wonder if Members are making too much of this. I come to this debate with an open mind. I wonder if I am the only one disappointed to hear some of the parties’ own remarks made by 2 sides of the argument. I find that disappointing. I align myself basically with the comments already made by Deputy Bailhache. He described himself as a “mere lawyer”; I am one worse than that, I am a “mere English lawyer” **[Laughter]** but I like to think that most lawyers have an element of common sense. It seems to me to be common sense that if we are establishing a new body, or 2 new bodies, it is prudent to do some raincheck on that performance after a limited time. That is not to decry or undermine the intention of the Minister. I wish them all well. I very much hope that things will sort themselves out in that meantime but I do not see why this amendment should undermine the proposition or why Members of those boards should feel it undermines them either. To any other comments made by other Members, I am inclined to support the amendment.

The Bailiff:

Does any other Member wish to speak on the amendment? If no other Member wishes to speak, then I close the debate, and call upon Deputy Doublet to respond.

10.3.11 Deputy L.M.C. Doublet:

I have been listening with interest to all of the contributions to the debate. I will briefly respond to some of them. Deputy Ferey was the first speaker and made some interesting comments, I thought, which I want to challenge. One of the comments he made was that this shows “institutional fragility” if we build in this 18-month review. I wanted to challenge that because I think, on the contrary, our approach on Scrutiny is a very robust one and we make no apology for that. Any new board or body should be able to stand up to such scrutiny and this would show that that board itself was robust, so is indeed the opposite. He also made some comments comparing the proposed board to a school or a court and to say that we do not give trials of those institutions. In fact - I have some experience here - in schools we do. Newly-qualified teachers have to complete a year - a newly-qualified teacher year - when they are working in schools. The same is true for roles such as police officers. This is pretty standard practice when it comes to membership of roles like that and public bodies. He also stated that the review is a distraction. Now, I want to make it clear that there are not any new reviews being proposed, it is the decision point that is being proposed here. The Minister himself has noted that several reviews of progress are embedded already. This is not asking for new reviews, this is putting the decision-making power with the States Assembly. Deputy Stephenson made that point very well. My vice-chair, Deputy Renouf, some of his points I will just make; he called them a “strawman argument”. Another point that he also made was around the 18-month trial period galvanising the new board. He made some excellent points; that was one of them. I really agree with this, I think it will give that incentive to perform to the highest standards which I have confidence that that board has potential to do and I would like to see that happen. He also reminded us that we are not losing anything if we approve this amendment today. Deputy Bailhache outlined his 3 main concerns. I am grateful for all of my panel members that have contributed to consideration of the amendment and to the debate today. I appreciate Deputy Bailhache’s rigorous approach and the concerns that he has outlined, and the concerns outlined by all of my panel members. Many of them were kind of slightly different concerns and they are numerous. That provides further evidence that we do need time for all of these varied concerns to be tested. The Minister states that there are existing mechanisms for transparent review and I think that this 18-month period gives the best chance of those reviews being fully considered. He stated that this amendment has been called “Government knows best” which again I thought that was interesting because of course this amendment is the opposite of that; it is a Scrutiny amendment. The purpose of Scrutiny is to hold Government to account on behalf of the public, the people of Jersey, because of course it is our electorate who know best, and we work on their behalf. This amendment puts the power, not within the Government and the Minister, but it puts the power in our Parliament and with States Members who are all here representing the Jersey public, so it puts the power in their hands. Deputy Stephenson, another valued member of my panel, she referred to the speech of a previous Minister who accepted an 18-month trial for the Advisory Board and mentioned the “collegiate approach” that was referenced. I just want to encourage the Assembly really to make a collegiate decision today because sometimes compromise is necessary and this is a compromise amendment. Compromise is often how we make good decisions, by tweaking things that come before us. Deputy Gardiner reminded us what has changed since the Assembly approved the 18-month trial period of the Advisory Board. Well, I do not think that the principles of that have changed at all. A point that I wanted to make before I ask for the appel is many of the speeches have touched on the very broad remit of this board. I know that potential board members might be listening to this debate today. I do want to put on record and to echo what another of my panel members, Constable Shenton, the Constable of St. Martin, mentioned, that she wants this board to succeed. I think that this board is a fairly good idea. I think it has potential to make some positive changes and I think the amendment

is complementary to that. I think when future members of that board are doing that work, having this 18-month touchpoint in place also gives them the reassurance that any concerns they have as members of that board during the operation of the board, they will be able to raise those and there is an opportunity to resolve those concerns at the 18-month point. Another thing that the 18-month checkpoint would do, it would give that board a very firm mandate. Now I feel today that we are likely to approve part (a) of the main proposition which relates to the establishment of the Advisory Board. I think having that 18-month period for that board, and if it is confirmed today by the Assembly, that gives that board a very firm and a very strong mandate in doing the work that they do. I think having the same 18-month period for the Partnership Board has the potential to strengthen that board. Therefore, I would have liked the Minister to accept the amendment and to welcome it because I see it as a helpful and constructive amendment. I will stop there but just to thank everybody who has spoken and to ask Members to support this what I think is a balanced and reasonable amendment based on the evidence found by the Scrutiny Panel. I ask for the appel, please.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on the amendment to P.52. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The amendment has been defeated:

POUR: 16		CONTRE: 30		ABSTAINED: 0
Connétable of St. Martin		Connétable of St. Helier		
Connétable of St. Clement		Connétable of St. Lawrence		
Connétable of St. Mary		Connétable of St. Brelade		
Deputy L.M.C. Doublet		Connétable of Trinity		
Deputy S.M. Ahier		Connétable of St. Peter		
Deputy I. Gardiner		Connétable of St. John		
Deputy K.L. Moore		Connétable of Grouville		
Deputy Sir P.M. Bailhache		Connétable of St. Ouen		
Deputy D.J. Warr		Connétable of St. Saviour		
Deputy H.M. Miles		Deputy G.P. Southern		
Deputy J. Renouf		Deputy C.F. Labey		
Deputy H.L. Jeune		Deputy M. Tadier		
Deputy A.F. Curtis		Deputy S.G. Luce		
Deputy K.M. Wilson		Deputy K.F. Morel		
Deputy L.K.F. Stephenson		Deputy M.R. Le Hegarat		
Deputy M.B. Andrews		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 C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy B. Ward		

[16:15]

10.4 Health and Care Jersey Advisory Board and Partnership Board (P.52/2025) - resumption

The Bailiff:

Very well, we now continue with the debate on the proposition not as amended. Does any Member wish to speak on the main proposition?

Deputy J. Renouf of St. Brelade:

Can I ask your help with a point of order?

The Bailiff:

Yes, certainly.

Deputy J. Renouf:

Is there a mechanism by which we can ascertain whether the Minister is going to take this in parts or not when it comes to the vote because that might affect our speech as a main.

The Bailiff:

It is a matter for the Minister whether he takes it in parts but he can be asked whether he will take it in parts. Are you able to indicate whether you are prepared to take the matter in parts, Minister?

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

Yes, I think under the circumstances if we are going to introduce a board it has to stand on its own merits and I think we should vote for them separately.

The Bailiff:

Take it in parts, yes, very well, then that is what will happen. Does any Member wish to speak on the main proposition?

10.4.1 Deputy B. Ward of St. Clement:

I rise to convey my support; not just as an Assistant Minister for Health and Social Services but as a health professional, having worked for some 45 years in healthcare from a student nurse to modern matron and senior manager. I have seen many, many changes in bringing about different structures. I am sure everyone would agree that healthcare provision needs to evolve, move forward, and further

develop. We just cannot stand still and ignore new innovations like digital, A.I. (artificial technology), new treatment in surgical approaches. The health service cannot continue as is, which is clearly disjointed. Change is needed but in the right way, working in partnership with our highly skilled professionals across the Island. The Minister has already set out in his opening speech the reasons including the many briefings and consultations he has conducted, which has brought us to the proposition that he laid before us. The emphasis is clearly about partnership for all involved in healthcare, from the cradle to the grave, from prevention and treatments in the community or in a healthcare setting across the Island be clearly joined up. I describe it as trying to thread and make a pearl necklace; all gems all joined together. Another way to describe the Partnership Board approach is to an umbrella with all the major participants involved in working in one direction as an Island health team, and to get away from some silo thinking. Every aspect of healthcare has an equal place in the delivery of the health provision on this Partnership Board. The partnership approach will of course take some time to bed in. We know this. But we must be supported to do so. We cannot stand still. Without the support from Members today we will find ourselves with a brand new hospital in 4 or 5 years' time without a cohesive Island healthcare team approach to support and complement such. I will not repeat what the Minister has stated and the provided evidence provided by the interested parties, but may I encourage Members to support the Minister's proposition and let the Health Ministerial team, healthcare professionals, and interested healthcare providers get on with the job of bringing this to fruition for all our future Island healthcare provision. I cannot finish without extending my sincere thanks to the officers who have worked tirelessly in helping us bring this work forward. Thank you, Members, for listening. Please support the proposition set out by the Minister for Health and Social Services today.

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

I am pleased to follow the Assistant Minister and I will be supporting the first part of this proposition. I wanted to echo Deputy Stephenson who earlier thanked all of those who have been a part of the board. I think it is fair to say that the board so far has been really quite impressive. I am really looking forward to seeing how they progress if we do approve this first part of the proposition today. I wanted to draw Members' attention to our comments, which have been referred to. I have not had a chance to talk about the body of those comments as it relates to the Advisory Board so I just wanted to highlight a few things which I would hope that the Minister could respond to when he sums up please. One of the things that the panel have highlighted in our comments is the appointment of a permanent chair. We would like to understand whether the Minister will be appointing a permanent chair and what the timeframe for that would be. This was one of the things that was raised from stakeholder feedback. We understand that the board did conduct a survey as part of the review process, however, the panel notes that only 2 responses were received to this survey and we do have some concerns that not all of the potential problems that could have been examined were raised as a result of that very small number of people completing the survey. What we would have liked to see would have been a staff survey as part of this review, and the absence of giving this opportunity to staff to comment on the board's cultural and operational impact does seem to be a missed opportunity. So if there is a way to build this in going forwards then the panel would welcome that. We also looked at the partnership working and how that is going to work between the 2 boards, how duplication is going to be avoided and how the work of the Partnership Board will be communicated with the Advisory Board and vice versa. I know this is part of the information that was requested earlier in the day but I hope that the Minister would feel able to elaborate on that. Formal external review is something that the panel would also recommend. In terms of the second part of this proposition, I am not yet sure how I am going to vote on that now that the amendment is not part of the main proposition, but one thing I would like to raise - and again I would like the Minister to respond to this, and potentially other Ministers if they are going to speak - is that while there is remuneration for members of the Partnership Board as part of the proposals, I note that there are other boards within our departments, for example within the Education Department, that are established

on a statutory basis. I am not sure that all of the members of boards like that are remunerated in a similar way. What I would like to understand is does this set a precedent; if we approve the terms of reference of this new Partnership Board today how does that impact other boards across different departments? This might be a question for the Attorney General. I want to understand how the really valuable time and expertise from individuals, often representing charitable bodies, they are invited to groups such as this and their expertise is critical; how is their time going to be recompensed in other similar boards if this is something that we are starting to do on this board? That is another question that I have there. But I will leave it there. The comments are available for Members to read and I think most of the points within our comments have been raised in previous sections of the debate so I will leave it there.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the proposition? If no other Member wishes to speak then I close the debate and call upon the Minister to respond.

10.4.3 Deputy T.J.A. Binet:

I had not meant to say a great deal in summing up because everybody has heard all of the arguments, and I know that time is getting on. There are a couple of things I can say, certainly in terms of setting a precedent. It is not something I had considered but I think what we have to consider is if we are going to ask people to spend a reasonable amount of time participating in making decisions for the health service it is difficult to expect them to sit at a table with other members who are being paid for their time, and have them sitting there not earning anything. I can only deal with that in isolation and I am not really in a position to pass comment on what precedent that may or may not set. What I will say is that a lot of the focus in the debate today has been on what we are proposing to do but there has been very little focus on the muddle that we are dealing with at the moment and the administrative cost. It is my opinion that as this moves forward and gets further refined, that the efficiencies that will be achieved by having a formal structure will save a considerable sum of money, and some of that money as we go forward can be diverted into the running of the partnership board. When it comes to the appointment of a chair for the Advisory Board; no, I really am keen not to do that. The 5 members at the moment work extremely well together; they have an interim who wants to continue. It works extremely well and the personnel dynamics in these situations are very important and I really do not want to put that at risk. In that regard, I would be very happy to try and arrange for either the chair or perhaps even the Advisory Board to meet with Scrutiny and talk that through themselves, and I think that might prove to be reassuring. In closing, I am glad that people can come to the table without feeling that there is the possibility of being disrupted. That said, I am extremely keen that certainly while it remains within my ability to do so, I shall be as open as I can and the board will be as accountable as possible at all stages. I want the Assembly to remain engaged in the progress of that board because I think it is vital for everybody. With that I call for the appel.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on P.52. We are taking it in parts; part (a). I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote on part (a) I ask the Greffier to close the voting. Part (a) is adopted:

POUR: 45		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				

Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
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 S.G. Luce				
Deputy L.M.C. Doublet				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
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 H.M. Miles				
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 A. Howell				

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				

Now I ask the Greffier to reset the vote and the vote now is on part (b) and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. Part (b) has been adopted:

POUR: 33		CONTRE: 7		ABSTAINED: 5
Connétable of St. Helier		Connétable of St. Lawrence		Deputy L.M.C. Doublet
Connétable of St. Brelade		Connétable of St. Clement		Deputy K.L. Moore
Connétable of Trinity		Deputy Sir P.M. Bailhache		Deputy J. Renouf
Connétable of St. Peter		Deputy H.M. Miles		Deputy H.L. Jeune
Connétable of St. Martin		Deputy A.F. Curtis		Deputy L.K.F. Stephenson
Connétable of St. John		Deputy K.M. Wilson		
Connétable of Grouville		Deputy M.B. Andrews		
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				

Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
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 B. Ward				

11. Draft Sea Fisheries (Minimum Size Limits) (Jersey) Amendment Regulations (P.53/2025) - as amended (P.53/2025 Amd.)

The Bailiff:

Very well, the next item is the Draft Sea Fisheries (Minimum Size Limits) (Jersey) Amendment Regulations, P.53, lodged by the Minister for the Environment. The main respondent is the chair of the Environment, Housing and Infrastructure Scrutiny Panel.

[16:30]

I ask the Greffier to read the citation. Minister, you have lodged an amendment to the regulations; do you wish them to be taken as amended?

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

Yes, please, Sir.

The Deputy Greffier of the States:

Draft Sea Fisheries (Minimum Size Limits) (Jersey) Amendment Regulations 202-. The States make these Regulations under Articles 6 and 29 of the Sea Fisheries (Jersey) Law 1994.

11.1 Deputy S.G. Luce (The Minister for the Environment):

I rise just to propose an amendment, as amended by myself, to the Draft Sea Fisheries (Minimum Size Limits) (Jersey) Amendment Regulations. Members may remember this was down to be debated at the last sitting but in order to reflect the amount of work we had to do there I offered to defer this. In order to do that the amendment alters the commencement date of the change for the minimum size of lobster from 16th September to 13th October this month. The Sea Fisheries (Jersey) Law 1994 provides the framework for regulating sea fishing and conserving fish in our waters. Under that legislation the Sea Fisheries (Minimum Size Limits) Regulations is the way we control the minimum size by which fish and shellfish can be landed, offered for sale, sold, or retained by fishermen within our territorial waters for fisheries management purposes. This proposal to the 2025 amendment to increase the minimum size from 88 to 89 millimetres is a change that follows the 1 millimetre increase last year that I brought to this Assembly. This is the second of 3 increases to

bring the minimum size to 90 millimetres next year. As stated last July, the use of minimum size restrictions on the landing, sale and retention of fish is a tried-and-tested method employed by fishery managements across the world. The rationale is simple in that the minimum size allows a species to reproduce at least once, but often multiple times, before they are caught in a fishery. It works particularly well with shellfish that are robust and have a high survival level after capture and release. Our lobsters are the mainstay of our commercial fleet and part of the Island's cultural and culinary identity. Lobster fishing had a boom between 2017 and 2019 where nearly every other pot would produce a lobster that could be landed for sale. However, now catch levels have returned to those of a decade ago when only one in 6 pots now have a lobster to land. Working with representatives of the commercial and recreational fishing fleets, and with marine resource officers, a suite of management measures has been proposed to safeguard and rebuild the stock. I would like to put on record my thanks to the members of the Lobster Working Group for all their contributions and commitment to the designing of the package. Increasing the minimum size forms the keystone of those measures and so is the first to be introduced. Further measures, as outlined in the recent lobster report published by my department, will follow in due course. This size increase will apply to both commercial and recreational fishers wishing to retain lobsters in our waters. The proposed change will also support the continued viability of our sustainable, certified lobster fishery under the Marine Stewardship Council, a certification we jointly share with our Norman neighbours. Increasing the size limit also increases the weight of each animal landed and, therefore, the price received by the commercial fishers, supporting a long-term sustainable fishing economy. I hope Members will agree that these are sensible, scientifically robust, and stakeholder supported measures that seek to further enhance the conservation and management of this important local species. I urge Members to support the amendment.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? If no Member wishes to speak on the principles I close the debate. Those in favour of adopting the principles kindly show. The appel is called for. I invite Members to return to their seats. The vote is on the principles of P.53. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. The principles have been adopted:

POUR: 42		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				

Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
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 H.M. Miles				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
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				

Does the Environment, Housing and Infrastructure Scrutiny Panel wish to scrutinise the matter?

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair, Environment, Housing and Infrastructure Scrutiny Panel):

No, Sir.

The Bailiff:

We now come to Second Reading, Minister. You have an amendment, you have indicated you would like to take the regulations as amended?

11.2 Deputy S.G. Luce :

Yes, and if I could propose these 2 amendments *en bloc*.

The Bailiff:

Well, can I just ask, do Members agree we can take the regulations as amended? Yes, in which case you propose *en bloc*.

Deputy S.G. Luce:

I do, Sir, thank you.

The Bailiff:

Is it seconded for Second Reading *en bloc*? **[Seconded]** Does any Member wish to speak in Second Reading? Those in favour of adopting ... the appel is called for. The vote is on the amendment to the regulations in Second Reading. I ask the Greffier to open the voting, and Members to vote. If Members have had the opportunity of casting their vote I ask the Greffier to close the voting. The Amendment Regulations have been adopted in Second Reading:

POUR: 45		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
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 S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				

Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
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 H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
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				

Do you propose in Third Reading, Minister?

11.3 Deputy S.G. Luce:

I do, Sir, thank you?

The Bailiff:

Is it seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading?

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

Just to say I fully support the Minister in his recommendations. Fishing is going through a difficult time right now and any measure that helps make for a more sustainable fishing industry is to be

supported by me. But on a slightly lighter note, I was particularly intrigued by the reference to the Lobster Working Group and I was wondering if the Minister would mind telling us about the membership of the Lobster Working Group. [Laughter]

11.3.2 Deputy H.L. Jeune:

Just to say that though Scrutiny was minded not to call it in or put in any comments, we regularly ask questions with the Minister in our hearings on these important issues and I would like to ask the Minister to extend thanks to the Marine Resources Department who took the Scrutiny Panel out in the summer. We were able to ask many questions on all the different range of issues Marine Resources focus on, including enforcement, which is an important part of the work that they do within this element because of course it is not just about the measurements but it is about ensuring that the lobsters are not taken smaller than they should be. It is described in this law, and enforcement is just as important, so I would like to thank the Marine Resources Department and the Minister for helping Scrutiny to understand a bit more about what goes on in Marine Resources.

11.3.3 Connétable K.C. Lewis of St. Saviour:

Just a brief question to ask the Minister whether this is mirrored by our French counterparts.

11.3.4 Deputy M. Tadier of St. Brelade:

I think I might have raised this in the past but could the Minister consider whether or not in future if it is about managing lobster stock whether there needs to also be a maximum size that they can be taken at, the rationale being that if lobsters have grown to a particularly large length, therefore, they are a lot older and they should be left in the ocean because they are good specimens to breed. Also whether or not there exists any restrictions around taking female lobsters at times when they can breed. If there is not anything at the moment is that something maybe the Minister would consider in the future?

The Bailiff:

Does any other Member wish to speak in Third Reading? If no other Member wishes to speak in Third Reading then I close the debate and call upon the Minister to respond.

11.3.5 Deputy S.G. Luce:

I am grateful to Members for their interest. If I might just address the comments in reverse order. The subject of taking berried lobsters, mentioned by Deputy Tadier, is a perennial one that comes up a lot and we are challenged quite often in Jersey as to why we do not ban this. There is a lot of evidence for both sides of the argument, but I would say very briefly that when you ban it we find that in other jurisdictions the eggs are either brushed off the lobsters before they are brought ashore or the lobsters are chemically treated at sea so the eggs fall off. There are ways around a ban on berried lobsters. Then of course the other issue around the fact that if you do not take female lobsters out of the sea you end up with a disproportionate balance of males and females. But it is one that is constantly kept in review and so I can assure the Deputy that we do that. As for maximum size, that is certainly something that needs to be looked at; the Deputy is quite right. When a lobster gets to a particular size it has done well to get there and it maybe should deserve to be left in the sea. He makes good points: lobsters that are exceptionally big obviously have the potential to do a huge amount of reproduction with the amount of eggs they produce and their ability to reproduce. That is something that is looked at as well and I believe is one of the measures that group will consider in the future. These measures apply to everybody who fishes in our waters, regardless of nationality, so it is the Jersey fleet and the commercial fleets from Brittany and Normandy. I thank the chair of my Scrutiny Panel for extending thanks to the team that work on this. I have a fantastic team at the Marine Resources Department who work diligently on all these matters in marine conservation and management. Finally, I would just respond to the Minister for Sustainable Economic Development about the Lobster Working Group. Of course the Lobster Working Group are a group of people who

work with lobsters. **[Laughter]** In all seriousness I would say they are made up of representatives from the commercial fishing and the recreational fishing fleets on the Island, and they get together very specifically to talk about lobster matters. I will leave it there, thank Members for their support and call for the appel.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is in Third Reading on P.53 and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. The regulations are adopted in Third Reading:

POUR: 45		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
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 S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
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 H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
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				

12. Statutory Pre-Sale Agreements for Standard Residential Property Transactions (P.61/2025)

The Bailiff:

The next item of Public Business is the Statutory Pre-Sale Agreements for Standard Residential Property Transactions, P.61, lodged by Deputy Andrews. The main respondent is the Chief Minister. An amendment has been lodged by the Council of Ministers. Deputy Andrews, are you accepting the amendment?

Deputy M.B. Andrews of St. Helier North:

Yes, Sir.

The Bailiff:

Very well, are Members content to take the proposition as amended?

Deputy A.F. Curtis of St. Clement:

I would like it taken separately, Sir.

The Bailiff:

In which case it will have to be dealt with at the time that it comes along. We will deal with the amendment separately, so I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion - (a) that all residential property transactions must include a legally binding pre-sale agreement between seller and purchaser, excluding the following types of transactions - (i) intra-family or intra-company transactions; (ii) Government or arm's length body transfers; (iii) auctions or forced sales; (iv) transfer of shared transfer real estate; (v) transfer of shares owned in real estate; and (vi) guest houses, hotels and other temporary accommodation transactions; (b) that pre-sale agreements must include a financial penalty to be paid by the seller or purchaser should they default on the agreement without a legitimate reason, to be stipulated in law; (c) to request the Chief Minister to establish a list of exclusions to the imposition of a financial penalty, as set out in (b), including, but not limited to - (i) mortgage refusal following an adverse survey; (ii) substantial damage to the property (such as fire or natural disaster); and (iii) chain collapse where a party was reliant on a preceding sale; and (d) to request the Chief Minister to bring forward for approval the necessary legislation to give effect to this decision no later than June 2028.

[16:45]

12.1 Deputy M.B. Andrews:

I know many Members will be fully aware that I am very passionate about pre-sale agreements. I think they have a real purpose of protecting many Islanders who I have engaged with, and many of them have shared their stories about being gazumped and some in fact have recently been gazundered as well. When you look at other European states, they have a greater degree of regulation but they also have a good level of enforcement as well to prevent such circumstances of gazumping and gazundering. That is why I do really support the need for a law. I think we do need to try and modernise the property transaction process here in Jersey. I think it is rather archaic and I think it also needs to probably be digitalised as well. I think it is something that will evolve in time; I do not think we can be too fixated on just bringing forward a law and remaining content with that law. If there are evolvments that allow us to change and to improve a process then we should always be open to what those opportunities are. But as far as I am concerned, as a Back-Bencher politician, when I used Facebook and I boosted several posts, I was trying to engage as many people as I can here to understand their experience during Jersey's property transaction process, and many of them were sharing their utter disappointment at the fact that they had spent thousands of pounds and the transaction was never executed because a counterparty had pulled out. In fact, I am aware of 3 cases where individuals were gazundered and it was in excess of £100,000. This is such a significant topic and for many people they were very willing to engage, and I think we could really see that on the Bailiwick post on Facebook; there was about 310 likes and many people saying: "Gosh, this needs to be in law." So many people have been affected by this. It is disappointing when the Connétable of St. Mary was part of the property transaction review they did a lot of good work and unfortunately the political executive of the day - that was Deputy Gorst who was then the Chief Minister - did not accept several of the recommendations that I feel are the key recommendations. In fact, the first recommendation was about bringing forward a consultation with relevant stakeholders to ascertain their views on whether pre-sale agreements should form part of a standard real estate transaction process. Now, there are a few caveats as well because I know a few people have probably been a bit concerned about what does this mean in terms of a share transfer property. Well, a share transfer property is usually subject to a share transfer agreement, and so if you were looking at a law for share transfer that would have to come in separately to any proposed law regarding this proposition. Share transfer does not form part of being a standard real estate transaction; it operates under company law. I know some people raised that with me and I had to respond just to provide some clarity for them. Now, I think with many of the behaviours that have been exhibited, the reason why people are gazumping and gazundering others is because they can get away with it. There is no financial deterrent. In France there is a financial penalty and it is in place to stop that sort of behaviour. It is

to address the root of the problem. For me that is the reason why I am of the firm view that a financial penalty is necessary. I think it is the right thing to do and it will cut out that immoral and unethical behaviour. We have seen too much of it. If you look at the statistics in previous years when we are seeing 1,900 transactions, that was a period when a lot of people were being gazumped. It is still happening now, do not get me wrong, but it is at a lesser level. But back then when we were going through that period of low interest rates there were so many people being gazumped, and also with property chains as well collapsing entirely, many people spending money on lawyers, removal firms, bank charges, the surveys. It all adds up. The last time when we debated this, there was in fact a lady who I believe lived in St. Brelade and she contacted me to say: "I have lost £13,000 recently so I am really pleased to see that you have raised this but I am disappointed with the outcome of the debate." There was not really much I could say in response to that apart from: "Well, I will bring it back because I strongly believe that this is absolutely essential." I know there are several other Members in fact who are supportive of pre-sale agreements but I think it is a good opportunity as well that a consultation does take place before any law is brought forward. So I think I will leave it there and I hope to hear from several of my colleagues.

12.2 Statutory Pre-Sale Agreements for Standard Residential Property Transactions (P.61/2025): amendment (P.61/2025 Amd.)

The Bailiff:

Is the proposition seconded? [**Seconded**] Now, there is an amendment to the proposition brought by the Council of Ministers. I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

Page 2, paragraph (a) - for the words "that all" substitute "To undertake a consultation on the effectiveness of the residential property transaction process, and consider whether"; for the word "must" substitute "should"; before the word "exclude" insert the words "which may". Page 2, paragraph (b) - for the word "must" substitute "may"; after the words "legitimate reason," for the word "to" substitute "and consideration given as to whether this should". Page 2, paragraph (c) - for the word "establish" substitute "consider". Page 2, paragraph (d) - or the words "bring forward for approval the necessary legislation to give effect to this decision" substitute "present a report to the Assembly on the outcome of the consultation on the effectiveness of the property transaction process, including the role and scope of the use of pre-sale agreements and whether these should be considered as part of future legislation,". For the word "2028" substitute "2027".

12.2.1 Deputy S.Y. Mézec of St. Helier South (The Minister for Housing - rapporteur):

Can I start by thanking Deputy Andrews for once again raising this issue and for the engagement that we had on several occasions in the run-up to this debate and the run-up to producing an amendment to it. I was pleased that he indicated to the Assembly that he wishes to accept the amendment. Members may remember previously Deputy Andrews had brought a proposition, P.34, on this subject which the Assembly rejected. The amendment to P.61 now is materially different to P.34 in that it proposes a consultation which will be wider than simply on the issue of pre-sale agreements, but instead looking across the board at the entirety of the residential property transaction process. It does that with the intention of trying to be as wide-looking as possible to improve that process and help people who are looking to buy and sell their homes, and touch upon those other elements that pre-sale agreements themselves would not necessarily solve. Deputy Andrews has got his finger on the pulse on this issue to a degree, and he has spoken about the people who he has engaged with who have found themselves suffering that huge disappointment and no doubt heartache that comes when you believe that you are about to enter a transaction only to find the rug pulled from beneath your feet, that can end up ruining that entirely in some instances. Deputy Andrews is right to a degree that an element of use of pre-sale agreements in some those situations would resolve that as an issue for some. However, that would not be the case across the board where there are other issues that could

come up that do not necessarily constitute gazumping by its strict definition, but could still lead to a transaction falling through and somebody in a different situation to gazumping or gazundering ending up having their heart broken as well by not being able to go through with a transaction that they had their heart set on. So by widening it out in this way we are able to commit to beginning the work to looking at the entirety of that process and covering off all of the different elements of it that can affect and impose difficulties on people when they are going through the process of buying or selling a new home. That will of course involve looking at pre-sale agreements and the role that they will play in that, but it will also involve looking at other elements to that too. I would wager that a more widespread use of the seller's survey would probably help encounter issues earlier on in the process that would enable people to find difficulties earlier on and resolve those, rather than get to that stressful point towards the end of a transaction process where you are most worried about things going wrong at that point. It will give us time to come back. It will be the next Assembly that will have to pick this up of course, but will have something that hopefully is a bit more substantial; not just looking at pre-sale agreements but looking at other elements as well. It will be down to the next Assembly then to determine how best to move forward from it. But in any event, anyone with an interest in this subject will then be able to use that work that is produced as a result of that, including by engaging with those in the industry, take it for what it is and hopefully move forward with it. So that is the rationale behind this amendment. I am grateful to Deputy Andrews, we met twice beforehand to talk about this and I am grateful to him for highlighting it as an issue, and I am grateful to him for being open minded about helping us forge the best way forward to make a difference, which I know is his intention behind his proposition. So I thank him for that and hope that the Assembly will agree to this amendment on that basis.

The Bailiff:

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

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

I hope I have not caught Members off guard by requesting this to be taken separately to the main proposition. It is the second time I have done so in short succession and I would say if Members would like a little more time it would be helpful for those who are looking to accept amendment to maybe indicate to the Assembly. I would have assumed that this would have been taken separately, hence I did not provide advance notice. I would like to thank the Minister for Housing for his opening remarks on this and I will try to decide how I can split my comments on this amendment to the main proposition. The Minister has taken straight off the bat why he sees P.61 as different to P.34 but I still believe we should have a conversation about this. Members did reject P.34 titled Consultation and Report on Pre-Sale Agreements for Land and Property Transactions. I will say I am in huge favour of constant reform and perhaps some radical reform to our property transaction system. My question and my concern is how we do that. The concern principally to this amendment is it feels like we are trying to find a passable outcome, which is far from what the proposer of the main proposition has requested the Assembly debate upon. The title of the main proposition is Statutory Pre-Sale Agreements for Standard Residential Property Transactions. It is fairly tight in scope and fairly deliberate in what it achieves; it wishes the Assembly to create an in-principle decision for new legislation for statutory pre-sale agreements. Ministers clearly do not agree that we can make that decision on the basis of the proposition in front of us. I would argue that this amendment turns the proposition far from the intention, to something that does not just fail to debate the Deputy's aim, but it expands into a broader topic that the Minister has highlighted: the transaction process. But we heard from the Minister in his opening remarks on the amendment there is still almost a slight identity crisis that this amendment has. It wishes to focus on an area of consultation that the proposer wants, but also expand it wider. But here is where I have a challenge with that: in shoehorning in a passable proposition with consultation I am concerned that what is proposed is the wrong way to start what is a very significant workstream. Reviewing and modernising the processes and legislation that

underpin property transactions and that of the public registry should be a pressing area of work for this Island to pursue. Carving off a section of this for the sake of saving a proposition that Members should vote on in their own right, is not the best way to start what I think is an incredibly important piece of work. I will briefly expand on what I mean by this. Jersey's conveyancing model of registering land and property transactions has a history of over 400 years, as Members will know. For these years it has primarily been within the jurisdiction of the courts; not the Assembly. There are many ways you can structure how land transactions occur and are recorded. Changes to our existing system could be as small as introducing the statutory safeguards Deputy Andrews wants; to moving our contracts to refer to what is called a cadastral map, which documents land parcels as Guernsey has; to moving further away to a land registry which keeps record of who owns what rather than our contract based and deeds based process.

[17:00]

That is a huge amount of choice that we have in deciding how we modernise our property transaction system; a system that is incredibly old, has had revisions over time, and clearly its remit falls beyond just currently that of this Assembly. So I would argue starting with a consultation is the wrong way around to evaluate the best way to ensure our processes are best fit. Members will notice that the amendment proposes consultation is undertaken by the Strategic Housing and Regeneration team, and that this can be fit within existing capacity. I will not spend time on the different remarks to P.34 in which it is said consultation by this team would divert important work of that team, but it is nonetheless said to be led by that team. But, in trying to fit this workstream into that, I think it misses other bodies that are responsible for the work. You will know that the responsibility for this area still extends beyond the Government and the Assembly and crucially what is missing in my view in this amendment is a remit of J.L.I.B. (Jersey Legal Information Board) which acts, in essence, as a research and development arm of the courts. As a board member of J.L.I.B., like yourself, you will no doubt recall that research and changes to our existing processes have previously stemmed from J.L.I.B., including reforms of the Jersey Land Registry system, incremental changes to conveyancing, the move from French to English, the move to put contracts online, and J.L.I.B. have also performed work researching the potential use of blockchain in land registry. So work continues. I will not expand too much here on this amendment, but my key challenge is in understanding how we take forward what is a very large piece of work and one that should be considered. Trying to fit an agreement from the States into what I think is a very different proposition is not the best way for us to be making decisions. This is a huge piece of policy and respectfully we should start with research, not consultation, and once we have decided which bodies should research, which ones will be accountable for driving change, and perhaps agreeing among ourselves and those associated bodies the extent of change we are interested in, at that point we consult. This amendment is far from what the proposition aimed, and I think it would have been better to debate and I hope we can debate and reject the proposition in its own right and revisit the topic of property transactions and our public registry outside of what feels like, as I say, a slightly shoe-horned-in attempt to make a passable proposition.

12.2.3 Connétable R.D. Johnson of St. Mary:

I had not anticipated the contribution from Deputy Curtis, which I agree does put a different perspective on matters. Deputy Andrews's proposition focuses on the main points or the main conclusion which came out of the review panels to which he referred and which I then chaired, which is that, as he says, parties to a transaction can pull out of an agreed verbal agreement up to the day of the court process and that gives scope for gazundering, gazumping, depending on the state of the market at the time. It is that uncertainty which I think Deputy Andrews is seeking to knock on the head, as it were. The amendment put forward by the Council of Ministers does widen the scope and indeed the conclusion of the previous review panel back in 2018. While these certain aspects should be looked into, I accept that there is a case for reviewing the conveyancing system in whatever form

it might take, but that alone will not address the basic problem which Deputy Andrews seeks to cure, which is the lack of certainty up to the moment of the court hearing. Earning, as I did, a major part of my living back in England before I came to Jersey in conveyancing transactions, I perhaps could be permitted to briefly review what the system is there, which is very simply that on a transaction being agreed the solicitors acting for the 2 parties are put in touch with each other. Those for the seller issue a draft contract along with the copies of the relevant title deeds or reference to the Land Registry. Swiftly there follows a response from the solicitor acting for the purchaser with inquiries before contract. They will then make their local searches and the situation will be reached where the only thing they are waiting for is the mortgage offer and a satisfactory survey and after that point they are primed to go. When those come in, a phone call will take place between the 2 parties, they agree a contract will be released along with a cheque for a deposit, which will be forfeited if the buyer refuses to go ahead, and the norm, certainly back in my day, was 4 weeks. That might be shortened now. That I think is the key to the problem. Transposing that procedure to Jersey, it is not that different as at the moment. The title is looked at, the property inspected, et cetera, and again the purchaser is likely to be waiting for his mortgage offer or a survey before he proceeds. The point put forward by the advocates resisting any change was that when they reach that stage that the mortgage offer has come in, the satisfactory survey, they are good to go. To delay further means that the purchaser is not able to get his house as quickly as he wanted and the seller cannot get his hands on his money as quickly as he wanted. So that is the defence of the present system. But, until that is cured, until there is a step taken whereby I know one Deputy suggested that even a 2-week gap between a binding contract and court would be enough I think to remove that leverage that a purchaser or seller has. It is to remember that a pre-sale agreement process exists now. I bought my own house with such a procedure; it suited myself, it suited the vendor, and again, once the contract was signed, I could go about my business quite happily in the knowledge that the vendor would not back out because he would pay damages of about 10 per cent, as I recall, if he did. That I think is the situation which Deputy Andrews is trying to arrive at. So putting that to one side, we now have a situation with the amendment which may well seek to arrive at the same point but it is going to be a long time, and the research I did at the time leads me to suppose that there will be resistance to a change in the system. Or not resistance, it will require resources and therefore I do not think that the amendment as such addresses the main problem, which is that certainty is what is required. Just one technical point possibly, I think the exemption in both Deputy Andrews's proposition and that from the Council of Ministers is that the exemption where a mortgage falls through lack of satisfactory survey, if that exemption continues, that I think does not help in the sense that that removes the degree of certainty. If there was to be a pre-contract, subject to satisfactory mortgage, where does that leave the vendor if someone comes along and is able to offer a higher price and he has got no mortgage requirement? Why should the vendor not be availing himself of that better opportunity? So I think that particular exemption needs to be looked at as to whether it hinders the main object. Having talked myself through it, I am not quite sure where that leaves me. I had originally thought that, if the amendment had been accepted by Deputy Andrews, as indeed it was, then, yes, we were getting somewhere and the 2 would march concurrently, i.e. the review of the present system, could it be improved, which does look at other things like availability of surveyors, who does the survey, where are banking decisions carried out, there are all sorts of complexities which contribute to the delay. But we are back to the basic point that purchasers and vendors would like certainty before they go to court on the day. The fear, as Deputy Curtis points out, that if we accept the amendment from the Council of Ministers, that really puts that day some way away because it will take some considerable time to conduct the review, which the Council of Ministers are proposing. So I am in 2 minds now as to whether to support the amendment with a view to going back to Deputy Andrews's proposition, and perhaps he would like to comment on that in his own comments on the amendment.

12.2.4 Deputy J. Renouf of St. Brelade:

There seems to me to be a big hole in this debate. Deputy Andrews, in his speech, outlined the problem that we are addressing and indeed eloquently so. The Minister also addressed the problem and we have lots of fine words about the problem. We all know it exists and we all would like to do something about it. But Deputy Andrews did not address in his speech what he was proposing as the remedy and in all of this proposition, and the amendment, the question is what is being proposed that will make a difference. Similarly, the Minister for Housing had dealt in his speech with some generalities. What I did not hear was why he felt it necessary to propose this amendment because there was something wrong with the proposition. Presumably there is something wrong with the proposition that it requires a fairly substantial rewrite. Again, he has said positive things about the intent behind the proposition but he has not set out clearly why he disagrees with the original proposition and what improvements he is bringing to the table. In fact, I was a bit amused listening to the Minister for Housing's speech because I still have ringing in my ears his comments this morning when he repeated quite often how he was a man of action and he did not want to waste time with process, he wanted to concentrate on actions that he could undertake at the time, immediately. So I formed an impression of a Minister determined to rip his jacket off, roll his sleeves up, and make change happen. But then I look at this amendment and, if I do look at this amendment, I see that instead of the words that: "All residential property transactions should include a legally binding pre-sale agreement", we substitute: "To undertake a consultation on the effectiveness of the residential property transaction process and consider whether residential property should include a pre-sale agreement." Later on in the same clause we substitute the word "must" with "should", then we substitute "which may" in place of "exclude". We substitute the word "may" instead of "must". We substitute the word "consider" rather than "establish". In other words, throughout this entire amendment we are diluting any form of action. It is all conditional. It is all the stuff that might happen instead of stuff that will happen, which does seem to run counter to the impression the Minister was giving this morning. I think it perhaps suggests that in fact the purpose of this amendment, and I hope the Minister can provide comfort that this is not the case, but what we are looking at really here is a talking-shop amendment that will sit on a shelf. It certainly has that risk, I would say, because it is worded in such a way that almost nothing is mandated to happen, and the timetable that is put in place is so long that it can safely be ignored for a considerable period of time. So we find ourselves in that slightly odd position that we sometimes find ourselves - I notice now I have been here for 3 years - where we have a vote on something which is inoffensive in that there is nothing much that you could seriously object to I think in looking at all this stuff, but also does not achieve much. We face this problem quite often. Is it better to encourage propositions? Deputy Andrews's proposition, to be fair, did at least do that. He may not have mentioned it in this speech but in the proposition itself there are things which are definite actions. But we have an amendment that simply punts it away to somewhere where it will be out of sight for a considerable period of time.

[17:15]

Potentially it could get acted on, but the fact that the intent through those changes in words has clearly removed decisiveness and replaced it with caveats and qualifications and softening, it does lend the feeling, the impression, that what we are dealing with here is really a kick into a bit of the long grass. So I tend to feel that Deputy Curtis is right really and that we should perhaps be talking about the original proposition which had meat in it rather than an amendment, which reduces it to something that has very little meaning. But I will be happy to listen to the Minister's summing up to hear what the response to that argument is.

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

I am grateful to follow Deputy Renouf here because it was interesting him saying that this provides no detail when in the previous debates he was asking for more details when this is what this is seeking to provide. I want to thank Deputy Curtis because him asking for this to be debated separately gave me the opportunity to, because I had speeches and concepts of things prepared before, but when I

realised there was an amendment that was going to be accepted I had to restructure all my speech and that was going to be quite an interesting thing to do. I had a conversation with Deputy Andrews after he lodged this because I was going to seek to bring an amendment to this myself, but I felt myself ... I did not lodge that in the end because I felt that I was going to be disingenuous to myself in how I was taking the terms of what a pre-sale agreement would mean. My original intent, was there to be the pre-sale agreement, should have been signed no more than 2 weeks before the transaction would go through the Royal Court because that is at the point when all the details are generally brought together, when you have had your survey done, the titles have been checked and all the work that the conveyancing teams do. But that is where that point of negotiation really starts to happen. As somebody who has recently been both the buyer and seller in a property transaction, that final week when the conveyancing teams have all the information, they do all the work, that is when some conveyancers will start the negotiation process. This is where they have established whether the property fees, the monthly service charges are, outstanding works that have been carried out on properties, whether there is outstanding planning permissions that have to be granted. These things which then mean that your offer might change, that people have the right. British people do not negotiate on many products. We negotiate on our cars and our homes, that is it. I have bought a car for the same price I have paid for a sofa, but I negotiated with the person I bought the car from but not with whom I bought the sofa from. We are a strange collection sometimes. So, when Deputy Andrews lodged his initial proposition, I thought it was right of me to reach out to a lot of conveyancing firms because, having been through the process of both buying my first home, which you, Sir, sat on the bench for as I swore my oath, and then when I did my most recent transaction it was your replacement who sat on the bench. It is quite an interesting process but that was for me the point where you are really nervous whether or not that other person who is going to swear the oath of the transaction is going to attend. So, reaching out to the conveyancing world, I was asking for their views and their opinions on what Deputy Andrews was proposing, and quite specifically about the cost. Because I was very concerned that the cost of a pre-sale agreement could add, because the Deputy mentions in his report that he is trying to make sure that people do not waste money, so you have to understand how much a pre-sale agreement might cost. I was quite staggered by the range of price that a pre-sale agreement may be charged by conveyancers, with one saying that their basic price would be £300 to £400 and that was provided it was simple, clear-cut, and no complications. One other conveyancing firm saying that they start at £1,200. When I went to meet with them, one firm requested that I came in to speak to them personally and house rules means I will not say who this firm were, they raised the question of which side pays for this, is it the buyer or is it the seller. Or, if you are the person like I was at my last property transaction where I was both, would I need one or 2 pre-sale agreements? So the Deputy, when he brought his original proposition, which is well-intended because there are risks and vulnerabilities that exist within our property market, I do not agree that the pre-sale agreement was the remedy for this, but it did strike me that this could add a potential cost. He talked about other jurisdictions where pre-sale agreements are used, like in Europe, but in Europe the sellers have to get a bundle of information about the properties they are going to be selling so that the buyer is provided with a lot of information before they make that offer. Over here, we make an offer based on doing a quick walk around of the property that we like, that we have seen online, and then we make a negotiated price down on that. We will then get a survey in, which, depending on the price you may pay, I think my last survey was about 1 per cent of the property value that I bought, which became quite expensive as I was committed to that before I got to my conveyancing fees. However, if the survey came back with lots of red flags telling me that the roof needed to be replaced and it was going to cost me about £50,000 to £100,000, but I had signed a pre-sale agreement before that result came back, where would we stand? So my full intention today for this whole debate was to vote down Deputy Andrews's proposition because he is right, there is something that needs to be fixed with our process, but the pre-sale agreement was not the thing to fix. But where I can support the amendment is the reasons why Deputy Renouf was saying, the "coulds", the "shoulds", the "musts", because there are so many different parts to this that need to be

reviewed. Even the conveyancing firms themselves could not necessarily agree on what that fixing of the transactions needs to be. So we do need to look at this in the round and to commit to just looking at a single entity or a single part is not going to solve the problems that we have. So, as I mentioned before, with you being on the bench when I swore my oath, that is the point that our contracts are passed when we buy property. We can have pre-sale agreements and if one of the parties involved in that pre-sale agreement chooses not to swear that oath, the sale falls anyway, and someone is still going to be out thousands of pounds. So I cannot support a system that requires people spend more money, especially when we have people who are taking part in the assisted purchasing process where they might be scrimping down to their last pounds and pence to be able to afford to go through court and to buy the property in the first place. A failure that is not their fault but may see them face a penalty could then completely scupper for ever their ability to ever own a property. So what I like about the amendment is this broadening of the scope. I believe the Council of Ministers have brought a proposition which means we can show the public that this does need to be looked at. I do agree that I think the timeframe is probably a bit long, but we also need to make sure it is done properly and done thoroughly. We are going to go through a purdah period where a lot of this work will stop and we have to make sure that the returning Assembly needs to keep an eye on this, and this is where I believe that, for me in my manifesto, pledge going forward - I have already started thinking about this next thing - is about making sure that we do not drop off projects which are really important to the public. That goes for everything from this to Fort Regent to any other number of things. So, if this amendment is not accepted then I would be rejecting the full proposition, but I do urge Members to accept the amendment.

12.2.6 Deputy P.M. Bailhache of St. Clement:

I thought this was a rather sensible amendment because gazumping is a problem, but the solution is not straightforward. In fact, things could be ameliorated without any change in the law. When I was in practice, admittedly a good number of years ago, a preliminary agreement of sale, as we called it at that stage, was the norm. When a client came to see an advocate, he would take instructions. If it was the seller a preliminary agreement would be sent over in short order to the purchaser's lawyer, and one would move on from there. Both a purchaser and a seller could stipulate or require a pre-sale agreement as a condition of the agreement. The seller could say to the prospective purchaser: "I want a preliminary agreement of sale, a pre-sale agreement, and if you have not signed one within 2 weeks then I shall be at liberty to keep the property on the market and accept another offer if it comes along." The purchaser could say, in reverse, exactly the same thing: "I want a pre-sale agreement." The lawyers would produce them. The Law Society might be able to help in that respect and create an incentive for a pre-sale agreement to be signed. The problem with Deputy Andrews's proposition is that it creates as many problems or issues as it solves. What should a pre-sale agreement state or include? Should there be a statutory model? If there is a statutory model, can the parties contract out of it? If not, why not? If they can contract out of it, to what extent can they make an agreement which suits them and not the States? What happens if circumstances change between the signature of a pre-sale agreement and completion? This is not an uncommon state of affairs. Suppose both parties are ignorant of the fact that the sewage system is completely inadequate, that all the rainwater goes into the sewage system and nobody knew about it, but some assiduous lawyer discovers that that is the case before completion takes place. What happens then? The pre-sale agreement will not deal with that because nobody thought of it. So, is the pre-sale agreement binding? Does the purchaser have to complete and spend £30,000 on a drainage problem, which he knew nothing about? Or is the seller entitled to require that? The problems of changing circumstances will be familiar to any practising lawyer and therefore, if this amendment is rejected, I am afraid that I would have to vote against the principal proposition. This amendment seems to me to be a rather sensible compromise because it requires the problem to be addressed, it requires some research, as Deputy Curtis suggests is necessary to be carried out, and that seems to me to be a sensible solution.

Deputy M.R. Ferey of St. Saviour:

Before I rise, I wonder if I should take Members' views on proposing the adjournment.

Deputy M. Tadier:

Yes, as long as it is before the speech. **[Laughter]**

The Bailiff:

Harsh, but ...

Deputy M. Tadier:

To be fair, it would give the Member a longer time to speak tomorrow if he wants to.

The Bailiff:

Do you propose the adjournment then?

Deputy M.R. Ferey:

I do, Sir.

The Bailiff:

Very well. The Assembly stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:29]