



Corporate Services Scrutiny Panel

Quarterly Review Hearing

Witness: The Chief Minister

Friday, 18th July 2025

Panel:

Deputy H.M. Miles of St. Brelade (Chair)

Deputy A.F. Curtis of St. Helier Central

Connétable D. Johnson of St. Mary

Deputy J. Renouf of St. Brelade

Witnesses:

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

Deputy M.R. Ferey of St. Saviour, Assistant Chief Minister

Mr. A. McLaughlin, Chief Executive Officer

Mr. P. Wylie, Chief Officer, Cabinet Office

Ms. L. Darwin, Chief People Officer

Mr. J. Whitfield, Chief Information Officer, Cabinet Office

[10:00]

Deputy H.M. Miles of St. Brelade (Chair):

Good morning, everybody. Welcome to this public hearing of the Corporate Services Scrutiny Panel. Today is 18th July and this is our quarterly hearing with the Chief Minister. As usual, the hearing will be filmed and streamed live. The recording and the transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silent. For the purposes of the recording of the transcript, I would be grateful if everyone who speaks could ensure that you have stated your name and your role. If I can begin with introductions, I am Deputy Helen Miles, Chair of the Corporate Scrutiny Panel.

Deputy J. Renouf of St. Brelade:

Deputy Jonathan Renouf, member of the panel.

Deputy A.F. Curtis of St. Clement:

Deputy Alex Curtis, panel member.

The Chief Minister:

Good morning. Deputy Lyndon Farnham, Chief Minister.

Assistant Chief Minister:

Deputy Malcolm Ferey, Assistant Chief Minister.

Chief Officer, Cabinet Office:

Paul Wylie, Chief Officer at the Cabinet Office.

Chief People Officer:

Lesley Darwin, Chief People Officer.

Chief Executive Officer:

Andrew McLaughlin, Chief Executive Officer.

Chief Information Officer, Cabinet Office:

Jason Whitfield, Chief Information Officer.

Deputy H.M. Miles:

Lovely, thank you. I would like to draw your attention to the fact that we have 2 hours scheduled for this hearing. This is the last quarterly hearing that we will be having before the budget. Chief Minister, firstly, can you update us on the discussions taking place with Ministers and at Council of Ministers level through your workshops to prepare the proposed budget for 2026 to 2029?

The Chief Minister:

Yes. Basically, the budget discussions and workshops are focusing on reprioritisation of spending in line with the Common Strategic Policy. We have had 6 budget workshops now addressing the issues. We have moved away from the traditional growth bid process this year to focus on the C.S.P. (Common Strategic Policy) priorities. Of course, any urgent priorities Ministers have they are bringing forward and discussions are on-going with Treasury officials on how we can build those into the budget. The thinking behind that was because it is getting more and more challenging every year to balance the budget, not just because of the fact that we have seen some exponential growth

in the cost of running Jersey, but also current global economic challenges have made us have to relook at tax revenue estimates and so forth. I think I will probably leave it there, really.

Deputy H.M. Miles:

When is C.O.M. (Council of Ministers) intending to meet to give final approval for the budget?

The Chief Minister:

The final approval will be sometime in August.

Assistant Chief Minister:

Late August.

The Chief Minister:

Yes, late August.

Deputy H.M. Miles:

Thank you. Chief Minister, will the proposals revealed by the Deputy Chief Minister serve as an authorised statement ahead of the proposed budget?

The Chief Minister:

Well, the Deputy Chief Minister had informed me that he was speaking to the media. We know that Tom is Tom; he feels passionately about the Breakwater issue. It is an on-going discussion, it is all part of the budget discussions, as is the Investing in Jersey Programme, which incidentally I hope to be able to give you a private briefing on next week. As Deputy Binet said in his short interview with ITV, it is all part of the budget process. We cannot move forward with that until we can agree what we can pay for. It is an on-going discussion.

Deputy H.M. Miles:

He has quoted the amount of £350 million for Health and Infrastructure. Is that the correct figure?

The Chief Minister:

If you were to include absolutely everything, that is the sort of figure you would be looking at. That is unlikely to be approved simply because of the financial challenges. Deputy Binet is now moving his focus on to the Health aspects of it, which is more realistic. It is an on-going discussion.

Deputy H.M. Miles:

£350 million is not affordable. Is it going to be less than that?

The Chief Minister:

When you say £350 million or when we talk about sums like this, when we say Investing in Jersey, it is how much of future budgets we are going to reprioritise to that spending. It is not necessarily additional money that we are having to find.

Deputy H.M. Miles:

Do you know what the actual figure is?

The Chief Minister:

We have not agreed what component we are going to pass yet. It depends on what we pass.

Deputy H.M. Miles:

When will you know?

The Chief Minister:

By the end of the budget process, by the end of August, because any ask has to go into the budget, will be scrutinised as part of the budget and then be debated and approved or otherwise by the Assembly.

Deputy H.M. Miles:

Do you know privately which projects are going to be going ahead?

The Chief Minister:

No, not at the moment.

Deputy H.M. Miles:

You do not know privately?

The Chief Minister:

No.

Deputy H.M. Miles:

Okay. Are you able to share the terms of reference for the various projects that are going ahead?

The Chief Minister:

We have business plans and so forth.

Chief Officer, Cabinet Office:

As part of the budget-setting process, those items that may get funded have been asked to produce outline business cases. They are being developed at the moment.

Deputy H.M. Miles:

Are there terms of reference for Project Breakwater?

Chief Officer, Cabinet Office:

Project Breakwater is the term that was used to make the political case for an increase in capital investment. That has morphed into an understanding within Council of Ministers that we have underinvested in capital over decades and underinvested in maintenance. What we are now in a position of is Council of Ministers debating. They have accepted that principle and therefore: what are we wishing to fund in the future? It was never a capital P programme in that respect.

Deputy H.M. Miles:

Despite the fact that the Deputy Chief Minister said that this is going to cost £350 million, it is not going to be a programme?

Chief Officer, Cabinet Office:

As the Chief Minister said, it depends what Council of Ministers determine what it wants to fund. There are no hard lines around this that is called Breakwater.

The Chief Minister:

I am not even sure where the terminology Breakwater came from.

Deputy H.M. Miles:

The term Project Breakwater has been used throughout this year. You have made reference to it yourself.

The Chief Minister:

I have used it. I am saying I am not sure where it emerged from, but that is what we refer to it as.

Deputy H.M. Miles:

In March you said that we would be very clear by June, that we would have clear terms of reference. We are just following up some of that.

The Chief Minister:

Yes.

Chief Officer, Cabinet Office:

Absolutely, yes.

Deputy H.M. Miles:

Deputy Renouf, did you want to make a comment?

Deputy J. Renouf:

I am not clear whether the Deputy Chief Minister said it was a bid for money or whether it was a statement of what is going to happen. Was he talking to the media to campaign for something?

The Chief Minister:

Did you see the interview?

Deputy J. Renouf:

I did.

The Chief Minister:

It was a fairly short interview, about a minute long. I looked at it myself. It was fairly benign. It was an update to the media. He was clear that it was part of the budgeting process, so that is what it is.

Deputy H.M. Miles:

As a panel we spoke to the Minister for Treasury and Resources at her last quarterly hearing. She was quite clear when we asked her about the budget. She said: "You are asking about something that is going to be in the budget and I am not going to tell you what is going to be in the budget." Scrutiny Panels throughout have been asking Ministers for information and we have constantly been told that we will be the first to know when there is news to share. Yet, in this case, the public were the first to know, because the Deputy Chief Minister made the clear announcement that he wanted £350 million for Health and Infrastructure. You have a Code of Conduct, Chief Minister, that you published yourself earlier in the year: "Regardless of whatever media or means, executive members shall adopt a no surprises approach regarding announcements, ensuring that Ministerial colleagues and then the States Members are then notified in advance of the media." Your Deputy Chief Minister, it would appear, did not follow that route, despite assurances. Do you think he has breached the Ministerial Code?

The Chief Minister:

No, I do not and I do not agree with the rhetoric that is being pedalled around that. You have seen today the Minister for Economic Development has made a comment on the front page of the paper. You can turn to the media every day of the week and you will find Ministers talking about policies

and priorities within their own portfolios. I have encouraged that. We are an open Government. One of the first things I did when I took over as Chief Minister is gave the media full access to all Ministers so they could do just that. He was not announcing anything as *fait accompli*. He was talking about what one of his priorities was. He specifically said: "We are discussing this around the Council of Ministers table. We are having challenging discussions about it and it is part of the budget process. I do not see anything wrong with that.

Deputy H.M. Miles:

We can understand that. He is the Minister for Health and Social Services, but he was making significant comments about infrastructure projects. If you look back at what the Minister for Infrastructure has said, it is completely contrary to what the Deputy Chief Minister was saying. What is the use of a Ministerial Code if Ministers can operate with impunity? This was a surprise. Scrutiny had had assurances that we would be the first to know, that we would be properly briefed, and we were not. We have a press release, verbal and written, from the Deputy Chief Minister that announces £350 million will be required.

The Chief Minister:

It is not realistic to expect Scrutiny to be briefed on every single Ministerial announcement. It is impossible, because it is part of the work that we do.

Deputy H.M. Miles:

However, it is in the Code.

The Chief Minister:

No, I am sorry, it is not. Deputy Binet was not making a specific announcement about something that was happening. He talked about something that was in the process. When that process has got to a stage, as I probably said 6, 7 or 8 times in written questions, oral questions and questions about notifying the States, as soon as the Council of Ministers has agreed in principle the detail of what Operation Breakwater, as we are calling it ... the vast majority is around the infrastructure around the health service. You can conflate those 2 terms, if you like.

Deputy H.M. Miles:

It is not, is it? It is around Fort Regent. It is around other capital programmes.

The Chief Minister:

It has all been conflated a little bit. Fort Regent is a project that is being led by the Regeneration Steering Group. The only other aspect of that are the markets and he has been discussing that with

the Minister for Infrastructure. There is a difference of opinions of the level of investment that needs to go into the markets, so that is a ...

Deputy H.M. Miles:

There is certainly a difference of opinion. That has come out in scrutiny.

The Chief Minister:

Like I say, we are a discursive Council of Ministers and we are having robust discussions about all of this. I say again, as soon as we get to the detail and that is agreed, Scrutiny will be the first to have it.

Deputy J. Renouf:

The Council of Ministers, are you confident that they were all happy with the Deputy Chief Minister's statement?

The Chief Minister:

I do not know because I have not spoken to everyone on the Council of Ministers. I know some of the Council of Ministers agree with some of what the Deputy Chief Minister wants to do and disagree with other aspects of it. That is why we are having the discussions.

Deputy J. Renouf:

You have not picked up any signs of dissatisfaction from other Ministers about the Deputy Chief Minister's statement?

The Chief Minister:

Not directly, no.

Deputy J. Renouf:

That is strange because we certainly have. Do you think it was a helpful contribution from the Deputy Chief Minister?

The Chief Minister:

I do not think it was unhelpful. Like I say, there seems to be a bit of a rhetoric developing about this when there does not need to be. The Deputy Chief Minister is working on a project that he feels strongly about and he is following the democratic process with it, through the Council of Ministers.

Deputy J. Renouf:

He is lobbying in public for the money, that is essentially what that comes across as.

The Chief Minister:

I disagree, he is not lobbying for the money. The £350 million figure is an estimate of his of what it could cost if we were to do everything. That is part of a pot of hundreds and thousands of millions of pounds we are going to spend over the next 5 or 10 years on infrastructure. I am sorry, but we will have to disagree on that. I go back to the point that this is part of the democratic process around the Council of Ministers table. We are having tough discussion in these budget meetings because of the pressure on our finances. That is the position. The Council of Ministers could agree with the majority of what Deputy Binet wants to do, they might agree with none of it, I am not sure. We are not at that position yet, but we are having the discussions.

Deputy A.F. Curtis:

Would you be happy or content if other Ministers came out with contrary positions in public during this process, challenging perhaps, with their view?

The Chief Minister:

That is a hypothetical question. I would have to see what somebody else says first.

Deputy J. Renouf:

The point is that you have essentially said there is nothing wrong with the Deputy Chief Minister going in the media and saying this is the money he wants. Deputy Curtis' point is surely it should be perfectly okay for other Ministers to go and say: "We disagree."

The Chief Minister:

Like I say, I cannot judge what a Minister might possibly say until they have said it; then I will give you my answer.

Deputy J. Renouf:

It is about the discipline around the process. How would you prefer the process to go from now onwards? Would you be welcoming of Ministerial comments in the media?

[10:15]

The Chief Minister:

I have always been welcoming of free speech. I have always been welcoming of Ministers speaking directly to the media. Like I say, you are trying to make more of this than is necessary. It is part of a good process that we are following around the Council of Ministers table. Deputy Morel has

announced today that he thinks private developers should be incentivised for building retirement villages. He did not discuss that with any of the Council of Ministers, but it is not a problem.

Deputy H.M. Miles:

It will not be going in the budget, though, Chief Minister, because it is not public money.

The Chief Minister:

It could well be part of the Investing in Jersey Programme.

Deputy H.M. Miles:

It is still a private developers incentive. That is slightly different.

Deputy J. Renouf:

Project Breakwater you said in January would be published in March. It seems that discussions are still on-going. What is your comment on that process that has been on-going now for probably 9 months?

The Chief Minister:

It is pretty obvious that we thought we could announce something in March and then in June. You can probably guess from that it is fairly contentious. Discussions around the Council of Ministers table are not fully supportive because, like I say, there are cost pressures, Ministers wanting to look at other things in their portfolios. That is why it is being delayed. We are talking potentially about diverting a lot of money into health services, digital services, preventative care, and that is why the discussions are on-going, because we have not reached a position yet.

Deputy J. Renouf:

The Deputy Chief Minister mentioned the possibility of either borrowing or taking from the reserve funds. Have any decisions been taken on that?

The Chief Minister:

No, not yet.

Deputy J. Renouf:

When you announced in January that you were hoping to put the process forward in March, you answered a question about why the Minister for Treasury and Resources was not involved by saying that Deputy Binet had formed the focus group so that he could move quickly. Do you regret in a way that the Minister for Treasury and Resources was not involved?

The Chief Minister:

Sorry, could you just remind me? You have lost me on that one.

Deputy J. Renouf:

In your interview in January, you were asked ...

The Chief Minister:

Sorry, could I just ask: interview with whom?

Deputy J. Renouf:

The BBC. In January you were asked about why the Minister for Treasury and Resources was not involved. We have just had a Scrutiny meeting with the Minister for Treasury and Resources and she said she was not involved. You were asked why that was. You said that the need was to have a focus group and it would move more quickly that way. Do you regret, in retrospect, that the Minister for Treasury and Resources was not involved from the beginning?

The Chief Minister:

No. All of Council of Ministers have been aware of this since its conception. The Minister for Treasury and Resources, as the plans have developed, has become far more involved, because it got to a stage where the plans were ready to say: "Right, this is what we plan to do. We will bring it in for discussion."

Deputy J. Renouf:

Can you tell us exactly then how this process will work in terms of working out ... there are 2 things to work out: how much money and where it will come from. What is going to happen to resolve those questions in the next 3 or 4 weeks?

The Chief Minister:

I am not sure what part of my answer, which I keep repeating to ... we cannot say that until we know what is approved and how much money is required. It is all part of the process. Once we start agreeing that then we can look at how we source the funding.

Deputy A.F. Curtis:

The challenge is the Deputy Chief Minister has said we are open to talking about this in public now. He did not talk about it as such he would like this. He talked about proposals to invest £350 million. We would expect that there is a level of at least certainty that that number is viable, feasible or even workable at this stage.

The Chief Minister:

Again, whatever is agreed by the Council of Ministers will be brought forward as part of the budget and go to Scrutiny. Until that is agreed ...

Deputy H.M. Miles:

Do you think that the Council of Ministers are close to an agreement on the budget? We only have a few weeks to go.

The Chief Minister:

Generally speaking, we are fairly close.

Deputy H.M. Miles:

Are you confident that you can bring the team together to deliver a budget that they agree on?

The Chief Minister:

The team is together. Just because the Ministers disagree on certain issues ... and as I have said before, we disagree, but it is never disagreeable. That has driven a deeper and lengthier debate. That can take us to the wire and things and that is why we have been debating projects like Breakwater for some time, so we can find a consensus position to move forward with. That is healthy.

Deputy H.M. Miles:

We are happy to move on. Thank you. You talked briefly about growth bids in your opening speech. Again, we heard in our quarterly meeting with the Minister for Treasury and Resources that bids for revenue expenditure growth were not being allowed at all, except for departments who were demonstrating a risk. Have there been any circumstances where you have justified a growth bid allocation so far?

The Chief Minister:

First of all, just to reiterate, the Council of Ministers' main commitment is curbing the growth in the public sector. There was no bidding process for this budget. We have considered where funding may be needed to mitigate tier 1 risks; Health deficits, for example, and commitments made in the C.S.P. That is where we focused any growth bids, to those areas. As you know in the past with growth bids, they tend to become an auction where we get hundreds of millions of pounds worth of requests coming forward that we have no ability to fund. That is why we have taken a slightly different approach.

Deputy H.M. Miles:

Could you give us a specific example of a growth bid that has been approved or is likely to be approved?

Chief Executive Officer:

Do you mean a growth bid or money to mitigate a corporate risk?

Deputy H.M. Miles:

A growth bid.

Chief Executive Officer:

A growth bid, no, I cannot, because we do not have any.

Deputy J. Renouf:

It would be quite interesting to hear what you have approved in that other category.

Chief Executive Officer:

Which other category?

Deputy H.M. Miles:

Corporate risk.

Chief Executive Officer:

Yes. The Council of Ministers are looking - leaving to one side Health deficit, which we have discussed before - at risk in 2 areas. One is within Children's Services and the other one is within Fire and Rescue. Those are the only 2 areas in that second category.

Deputy H.M. Miles:

Thank you. We also heard, during questions without notice, that the Minister for the Environment had been severely affected by the consultancy freeze. Can you provide an update on the impact of the consultancy freeze across Government departments?

The Chief Minister:

To start with the financial impact, there has been a reduction in 2023 of £29 million less was spent on consultancy in that year. Can I hand over to Andrew and Paul now in relation to how that has impacted ...

Chief Executive Officer:

Yes, that is the saving. The first part of the question, sorry, was there a specific on-the-record comment from Deputy Luce that you are referring to?

Deputy H.M. Miles:

He told us that the consultancy freeze had affected his department quite significantly. The question that was asked was in the context of, for example, the West of Island Planning Framework. Money was put into the budget as an amendment last year to conduct that this year, but due to the consultancy freeze the Minister, despite having the resources, despite having the money, has not been able to employ anybody to get on with what is an important task.

Chief Executive Officer:

Certainly, in that specific portfolio there have not been any restrictions on his ability to progress his C.S.P. commitments. I am aware of 2 instances where he has made a consultants request. One went through, one did not. He has been dealing with very significant new investment to deal with P.F.A.S. (per- and poly-fluoroalkyl substances), which was not in our budget, was not in our C.S.P., but because of the nature of that issue we have found a way to support him. It is a bit more balanced from my seat in the house, but I would say that as the person who has to prove these things. Paul, is there anything I have missed there?

Chief Officer, Cabinet Office:

What we have tried to do in relation to any kind of policy support or planning policy support is, as the Chief Executive said, prioritise the Common Strategic Policy initiatives, where they still have money, where it has been around: can we achieve this, albeit slower? That is the type of consultancy that we have clamped down on. It is about capacity rather than capability and it is the capacity ones that we have tried to reduce.

Deputy H.M. Miles:

Does the Cabinet Office hold a list of specific projects that have been paused as a result of the freeze on consultancy services?

Chief Officer, Cabinet Office:

Where there have been formal bids that have been rejected, yes, we can provide that, but that will be few and far between. What it meant was policy officers and their Ministers looking carefully at what they can achieve in this period. Particularly, the outcome of that is the legislative programme. Most policy support is related to the consultancy for registration. Therefore, you have a legislative programme which is more realistic and affordable without using consultancy.

Deputy J. Renouf:

Deputy Luce said in the Assembly: "I do not think it will come as a surprise to Members of the Assembly that the consultancy freezes affected my department quite significantly," and he went on: "You just have to accept the fact that when you do things like stop using consultants the amount of work you can get through in a specific amount of time is reduced and, in some cases, significantly reduced." Do you accept that some of the things that Ministers would like to do ...

Deputy H.M. Miles:

Indeed, and Back-Benchers would like to do.

Deputy J. Renouf:

... which were passed by the Assembly, are not happening because of the consultancy freeze?

The Chief Minister:

Yes, I accept that. That is caveated by the fact that we have got ourselves in an unsustainable position with consultancy spend, spending over £100 million a year on consultants, alongside close to 50 per cent increase in the headcount of the public sector. Something had to happen. That is why we have to focus on reprioritisation of spending. I ask every single Minister to do the same within their budgets. There are going to be pressure points, unfortunately, but that is I am afraid what we need to do to be fiscally responsible right now.

Deputy H.M. Miles:

Thank you.

Deputy A.F. Curtis:

Chief Minister, we have spoken already about Project Breakwater, but you have also referenced work on the wider Investing in Jersey initiative. Would you be in a position to update us on the progress of Investing in Jersey?

The Chief Minister:

I am pleased to say the Investing in Jersey Programme is nearly completed. Like I say, I would like to offer Scrutiny a private briefing as soon as next week or as soon as Scrutiny is ready I am prepared to come along and do that. It is going to the next budget workshop, which is next Thursday, for the final signoff. That is the current position.

Deputy A.F. Curtis:

I see you have a copy of a draft. Is there anything you can share with us about ultimately what is in it and how the remit is different to that of particularly Project Breakwater? Where are the differences?

The Chief Minister:

If I could give you a flavour, I would say, quoting from it: “Jersey’s infrastructure has served the Island well for decades. However, like many jurisdictions with long-established public assets, we are now facing a combination of new pressures and overdue maintenance that require a clear and co-ordinated response. Much of the core infrastructure is ageing and in some areas is no longer fit for purpose. This includes roads, public buildings, education facilities, water drainage systems and flood defences. Meanwhile, our growing population, changing demographic profile, climate risks and shifts, and how services are delivered all place additional demand on those systems. At the same time, despite increasing day to day public expenditure in recent years, long-term capital investments have not kept pace with need. This document outlines the proposed medium and long-term investment strategy designed to address the challenges in a co-ordinated, sustainable and transparent manner. The strategy will be supported by a new capital investment fund, which will provide structured financial support for infrastructure renewal and development over the period 2026 - 2050.” That is a flavour of what the investment programme intends to tackle.

Deputy J. Renouf:

To be clear, Investing in Jersey is now completely separate from Project Breakwater?

The Chief Minister:

Yes.

Deputy J. Renouf:

Investing in Jersey is the long-term funding and Project Breakwater has these other elements that have been taken out of that project?

The Chief Minister:

They were separate pieces of work. At some stage we wondered if we could combine them and identify any areas of overlap. However, because so much potential and additional investment is required in Health in relation to preventative care and digitalisation of the Health Service, it was deemed best to keep them separate, so they did not hold each other up, as such. The Fort Regent project has been announced and is being managed now by the Regeneration Steering Group. The markets are being discussed ...

[10:30]

Deputy J. Renouf:

Is it part of Project Breakwater or is it part of Investing in Jersey?

The Chief Minister:

You could call it part of Project Breakwater if you wanted, but it is being managed ... however you do it, Jersey Development Company is managing the project.

Deputy J. Renouf:

It is hard from this side of the table to understand the lines here. If it is part of Project Breakwater, it is part of the £350 million that the Deputy Chief Minister was talking about. If it is part of Investing in Jersey, it is part of something that has already been agreed and is about to be signed off.

The Chief Minister:

When we agree what is called Project Breakwater, then we will agree how everything is labelled. That is not agreed at the moment.

Deputy H.M. Miles:

Has Ministerial responsibility been agreed for both of these? Who has Ministerial responsibility for Investing in Jersey?

The Chief Minister:

Legal Ministerial responsibility will stay with the individual Minister for whatever piece of work. If it is a piece of work in relation to ...

Deputy H.M. Miles:

How does that work with infrastructure projects when the Minister for Infrastructure will not be politically responsible?

The Chief Minister:

He has to be. If ...

Deputy H.M. Miles:

That is clearly not what Deputy Binet envisages, by his statement that he made.

The Chief Minister:

I would disagree with that. He is not called into any juxtaposition with Ministers. If the States agree to fund through the budgeting process something that falls within the remit of the Minister for Infrastructure, then the Minister for Infrastructure is legally responsible for that.

Deputy A.F. Curtis:

He might be legally responsible but the question is: where is the sponsorship for this coming from? We heard in the Environment, Housing and Infrastructure Panel that the Minister for Infrastructure, and I will paraphrase, said something like: “As long as I am in office, I will not see the markets regenerated, in the sense of a mass capital outlay.”

The Chief Minister:

He might well be right. There is a difference of opinion around the Council of Ministers table on that. Deputy Binet would like to see a far greater investment than the Minister for Infrastructure is prepared to go with. That is part of the difficult but welcome and necessary discussions we have around the table.

Deputy J. Renouf:

Deputy Binet said on Monday that £220 million had been allocated for infrastructure needs, such as the regeneration of Fort Regent, the Town Centre Market, and long-term commitment to European flights. All I am trying to establish here is: is Investing in Jersey, the thing that you say has been agreed and will be signed off by the Council of Ministers in the next few days ... is Fort Regent and this stuff that Deputy Binet mentioned in Investing in Jersey or is it in Project Breakwater, which you say has still not yet been decided at all and is still up for grabs?

The Chief Minister:

I am not going to get into these details now. I can present them to you. I have given you a flavour of what Investing in Jersey is around. Let us go through the detail of that based around a capital fund and the establishment of the capital fund.

Deputy H.M. Miles:

Can you understand our confusion, though, Chief Minister?

The Chief Minister:

No, not really.

Deputy H.M. Miles:

We have had 6 months of different messages being given to different Scrutiny Panels and different messages being given to the public. As Deputy Renouf has clarified, we have an Investing in Jersey project and we also seem to have this side-line Project Breakwater, which also involves infrastructure investment. I will pass to Deputy Curtis.

Deputy A.F. Curtis:

Like the Chair, it is trying to work out how do we understand and how do we know how to ask you the right questions about the work, and what sounds like significant work, your Government is doing without ultimately Scrutiny turning up too late to the party. We have an opportunity for a briefing on Investing in Jersey as soon as we like almost; is that right?

The Chief Minister:

Yes, pretty much so. I need to get the final green light from the Council of Ministers, which we are hoping to do next week, but I am happy to update you before that on the grounds it is not officially approved as yet. I am prepared to share the detail on a confidential basis with you.

Deputy H.M. Miles:

Can you clarify then when you will be able to do the same for Project Breakwater?

The Chief Minister:

Project Breakwater, what Deputy Binet is proposing is that the financing of that will be, correct me if I am wrong, blended into the budget process, so that is likely to come as part of the budget, because it is a more immediate request for funds.

Chief Officer, Cabinet Office:

Perhaps it is helpful to think of Breakwater Project as developing a straw model for an in principle agreement that we need to invest in infrastructure and maintenance, and particularly a surge of activity to get Jersey back on track. Hence, the health ...

Deputy J. Renouf:

Predominantly based around the Health Service, yes.

Chief Officer, Cabinet Office:

It is a surge of activity to make Jersey a healthier and more attractive place. It was always a straw model. The principle has been agreed that there should be more investment. The Chief Minister has described that. That is going through the budget process. As to what particular component parts you then fund is absolutely a point of discussion.

Deputy H.M. Miles:

It strikes me that the introduction that the Chief Minister has read out for Investing in Jersey bears significant resemblance to what you have just said about Project Breakwater.

Chief Officer, Cabinet Office:

Of course, because the principle has been agreed.

Deputy H.M. Miles:

Why are they separate?

The Chief Minister:

Project Breakwater predominantly focused around the Health Service, short term. Investing in Jersey is a 25-year programme, so a much longer approach to ...

Deputy J. Renouf:

It is not true. £250 million, more than half of the Project Breakwater the Deputy Chief Minister talks about, was on infrastructure projects. £120 million was on health.

Deputy H.M. Miles:

The rest of it was ...

Deputy J. Renouf:

We cannot see what belongs in what.

Deputy H.M. Miles:

Clarity.

The Chief Minister:

When we are ready to share the detail, when it has been agreed, and if it was less contentious we probably would have come and seen you before, but it is subject to detailed debate around the Council of Ministers table.

Deputy H.M. Miles:

What are your thoughts around the risk of the Council of Ministers not agreeing?

The Chief Minister:

I am sure consensus will be found. We have a good record of finding middle ground in most instances. In fact, I cannot think of one where we have not. We will take a democratic decision on it.

Deputy H.M. Miles:

I can give an example of the residential tenancy.

The Chief Minister:

That is probably one, yes.

Deputy H.M. Miles:

Clearly, one of your Ministers referred to his colleagues as cowardly politicians playing dirty tricks. That is a significant example of disagreement. From what we are hearing here, there is a possibility of disagreement around this and yet we are expecting the budget to be lodged on 3rd September.

The Chief Minister:

Yes, it is quite possible the Council of Ministers will not accept any part of it. That is a possibility.

Deputy H.M. Miles:

What will be your way forward through that, if your council do not agree?

The Chief Minister:

We move forward; do we not? We move forward, we accept the democratic decision, just as if the decision is to do some of it.

Deputy H.M. Miles:

The idea is that it would be argued out through the Assembly and you would be coming to the Assembly with a budget that is not agreed unanimously by your council?

The Chief Minister:

No, the budget will be agreed. We are not going to present a budget that is not agreed.

Deputy J. Renouf:

The 2 options are that you agree this and it goes into the budget, so you have a unanimous agreement ...

The Chief Minister:

What is agreed will go in the budget. If we agree some of what Deputy Binet would like us to agree, it will go in the budget. If we do not agree with any of it, none of it will go in the budget. If we agree with all of it, all of it will go in the budget.

Deputy J. Renouf:

You will not end up with a situation like with the R.T.L. (Residential Tenancy Law) where you have a Common Strategic Policy that does not end up being supported by the majority of the Council of Ministers?

The Chief Minister:

The Residential Tenancy Law, I believe, is supported by the majority of the Council of Ministers, but a number of Ministers and Assistant Ministers have lodged what we call an Agreement to Differ, because they are fundamentally opposed to aspects of it. This is part of the work the Minister for Housing has been doing for some time. I hope we agreed, I certainly agreed, that we need to approve the principles, because we need to make some improvements in the law to protect further both tenants and landlords ...

Deputy J. Renouf:

Check whether the Assistant Chief Minister thinks ...

The Chief Minister:

You know he does not agree, because he voted against it. We voted to defer it, ultimately. It is fine. He has been open and honest with the Council of Ministers, as the other Ministers have. That is why we have managed to retain a cohesive Council of Ministers. We are realistic around the table. We are effectively a non-partisan Assembly, a representative coalition of States Members, and we have adopted a pragmatic approach to the democracy. If on occasion we do not agree, then so be it.

Deputy H.M. Miles:

Is this coalition Government proving more challenging than you expected, Chief Minister?

The Chief Minister:

It is challenging but, to be honest, it is possibly less challenging than Governments I have been involved with in the past. It is challenging, but I am still enjoying the job.

Assistant Chief Minister:

Budget processes are always difficult. The difference that we have this time is as difficult as it gets. People are continuing to speak to each other, continuing to have conversations and being open and honest. While it does get tense, it does not trip over the line into being oppressive. That is important that we can open discussions.

The Chief Minister:

We can finish the meeting and all have a cup of tea afterwards.

Deputy A.F. Curtis:

We can move on to a new topic, which is digital services, Chief Minister. In your Ministerial response to our review of the budget 2025 - 2028, and as mentioned in our previous quarterly hearings, it was advised that we would be seeing it published in June. Could you update us on its publication?

Chief Information Officer, Cabinet Office:

I can give you an update on that, Deputy Curtis. The Technology Strategy was approved by the executive community and the Council of Ministers in June. I am going through a series of presentations to stakeholders and working with the communications team on a public release of that at summary level. I have offered a private hearing to the Public Accounts Committee, which is scheduled for end of July. There is some commercial sensitivity to the strategy so it is not appropriate to talk about it fully in the public domain. It is progressing well. I had strong endorsement from Council of Ministers and strong support. They asked me some great questions on how they could help and support some of the challenges. We are pleased with the progress and we were pleased that we hit the deadline we promised for the end of June.

Deputy A.F. Curtis:

We are hoping for it to be published soon. When can we expect publication?

Chief Information Officer, Cabinet Office:

Publication will be during August. I do not have a precise date for it yet; I am working with Martin White on that.

Deputy A.F. Curtis:

I note the change of language. In your Ministerial response to recommendation 46 it was described as a digital strategy and now it is a technology strategy. Is it possible to understand the terminology change?

Chief Information Officer, Cabinet Office:

Absolutely. Essentially, a digital strategy is what the Government public services are needed for, driven by the departments. This follows our earlier discussions on project prioritisation. I have discussed at length with the other chief officers on their needs from a digitisation perspective. We have a plan to develop and improve some of the digital strategies for the departments towards the end of the year. A practical example is the Digital Education Strategy is clear but needs some updates. That has been planned for the back-end of the year. A second example would be the Digital Health Strategy. That has been developed and worked on. It relates to some of the points just discussed under Breakwater, for some of the ambition with digital health. We looked at the assessment and we looked at the challenges that I presented at the last private hearing on the health check of I.T. (information technology) and technology and we are focusing on resilience. The

resilience of our systems is not where it should be, with some of the ageing systems that we have talked about previously. There is a focus on resilience, improving service levels from a citizen perspective, and creating stability in our systems. In other words, the underlying technology is the issue today not the demand on what we need to change from a digitisation perspective. That is what the focus has been and that is why we did an extensive exercise last year prioritising the projects through the departments.

Deputy A.F. Curtis:

A lot of the public expect to see perhaps digital services change at the rate they see in the private sector, which may or may not be possible. That means sometimes the services people use to interface with Government differently. Is that captured by this Technology Strategy, replacing forms with web apps and all that kind of thing to improve the customer experience side that people were hoping for with a Digital Strategy?

Chief Information Officer, Cabinet Office:

At principle level, yes, it very much talks about improved automation, better cost-effectiveness, better use of some of the tooling that we have. The underlying issue is what has just been talked about, with money. Some of our systems are 30 years old, some 25 years, some 19 years. There are many old systems that we need to replace and we have had to make some difficult decisions on the priorities.

Chief Executive Officer:

An important point here is one of the things is that the public version of the strategy will deal with the point you just made, which is everyone ... you are right, because of their use of their handheld devices, because of what they are doing in their homes, never mind in private workplaces, everyone is assuming a level of agility and modernity in our systems that is not quite there. One of the things we need to do to rebase everyone through ... which is why Jason is patiently going through these stakeholder groups and private sessions with politicians. Everyone needs to understand the machine that is underneath us and what we have to spend on that machine to keep it upright.

[10:45]

That is important, because your ability to digitise and to deal with some of the issues which you have mentioned which are frustrating for Islanders in our case is to some extent compromise, because we have a legacy of hundreds of systems. We had a culture in Government of everyone doing their own thing, which means we have this Byzantine Empire, as you know, of systems between Health, Education and everyone else that do not speak to each other. We would love to start again, but the money is not there to start again. The risks of trying to start again are too high when ultimately

everything depends on the Government to keep the Island running. What we are trying to do is traverse our way through these old systems, bring that modernity in a risk-adjusted way, but it will not be what people experience in the software that they are accessing in their private lives or it certainly will not have the agility. It is important that everyone understands that. The biggest thing from this strategy is not whether we will have systems that make people's tea for them, it will be everyone understanding how the Island runs from a technology perspective and what the art of the possible is.

Deputy A.F. Curtis:

It will ensure that the sprawling network that has emerged from different departments having different capabilities everywhere is not repeated and that there is a strong enough mandate from the centre to enforce ...

Chief Executive Officer:

There are 2 things there. Firstly, it will certainly try and reduce the risks associated with the urban sprawl that you mentioned, whether we can change the culture and people want to submit to a more centralised technology architecture where someone at the centre really decides what comes in and out of our systems. That is antithetical to the culture of Government as it has prevailed in Jersey for the last 50 years. You saw that during OneGov and the visceral reaction to OneGov. We can certainly make it less risky and more resilient, which is what the strategy will do. There is still some political debates to be had about whether you are willing to submit to that level of central control.

Deputy A.F. Curtis:

The argument presented is: by not submitting earlier to more central control, we are now battling a sprawling network of systems. It sounds like there is advice coming from the department, from the expertise, saying centralisation and simplification is essential if we want to deliver better services.

Chief Executive Officer:

Precisely. It is not centralisation because you want to control services, it is just in the world that we now live in, with cyber-risk and other things, we probably need to strike a better balance than we have in the past. That is one of the democratic debates that needs to be had.

Chief Information Officer, Cabinet Office:

I will give you one example of that, to build on Andrew's point. As you know, Deputy Curtis, we have discussed in private hearings that the Technology Strategy, the architecture, is in layers. The core network, the core data management and some of the service provided, that is agreed, that is centralised. We have a centralised approach model, architecture and service provider for our network. Essentially, it is the same as cyber-security and cyber-control. Where some of the

departments would like some more autonomy, there is no disagreement on who manages the network, the standards we use, the policy we use. The second area of agreement is we need more clearly I.T. policies to direct the departments where they want some autonomy; great progress in that. The strategy will lay that out, as you will see.

Deputy J. Renouf:

Can I just ask a question on that? Digital has a history of spending a lot of money and not appearing to achieve what it sets out to achieve. Do you feel you are on top of that now and that we are spending money in a worthwhile way where the public will see improvements?

Chief Information Officer, Cabinet Office:

Yes. We did a lot of work last year with the executive community and with the Council of Ministers on prioritising the projects. The words digital and technology are sometimes confused with business change management, business process management and cultural management. If you look at the details of some of these projects and programmes in the past that have been disappointing and not delivered all of the benefits, it is not the technology spend, it is often the process change and the cultural change. If you look at the percentage of spend of the actual technology to project management and programme management and change management, my personal opinion, using lots of audits and reviews, is that our approach to managing these projects is what needs to be tightened. It is not the technology per se. Occasionally, we make a mistake and we choose the wrong technology, but it is the management and control of it.

Deputy A.F. Curtis:

We are going to have to move on, but I have one more question, though, which relates to a cross-cutting theme that the Children, Education and Home Affairs Panel have been looking into in their review of online harms. One area is the concept of digital safety by design. Perhaps, Chief Minister, are you aware of digital safety by design as a principle and whether we, as a Government, are incorporating these concepts into policy making?

The Chief Minister:

We are completely alive to the threats, potential dangers and the challenges of controlling young people's access. There is an element of being realistic about it. We are working on ways we might be able to address that. Other jurisdictions have started with certain ideas, but we are committed to finding some solutions that will improve the situation and provide greater protection to young people and internet access, which is a huge challenge, as you know, because it is not just about managing phones in schools.

Deputy A.F. Curtis:

Are Digital Services working with the Digital Economy Policy Team on staying abreast of where the policy side is going?

The Chief Minister:

Yes. Basically, yes.

Chief Information Officer, Cabinet Office:

A member of my team is on that Steering Committee for that programme.

Deputy J. Renouf:

One thing slightly at a tangent to that, but is relevant, the U.K. (United Kingdom) Online Safety Act comes into play on 25th July. We chose not to go down that route because we wanted to develop our own online safety and harms legislation. Where are we on that?

Assistant Chief Minister:

There are a number of things we are looking at. Firstly, when the law comes in in the U.K., we will see what impact it has in the real world. Secondly, we are looking at the provisions within the data protection legislation, which takes a bottom up rather than a top down approach, where people can get images quickly removed if it is their own images that they do not want people to see on the internet. That cures part of the problem, but it does not stop the problem of particular young people seeing content which is inappropriate. We will have a blended approach. We will develop in the future some sort of legislation which is akin to the Online Safety Act without it extending to Jersey, and we will have the bottom up approach of empowering more people to use the data protection legislation so that they can get images removed.

Deputy J. Renouf:

Given that the other Crown Dependencies have extended that legislation, what would be the risk for us of just deciding perhaps that was a bad decision, let us just take it on?

Assistant Chief Minister:

There is always a risk, but we need to look at the experience from those other countries and see the impact that it has in the real world.

Deputy J. Renouf:

Why, when the other Crown Dependencies are plunging in?

Assistant Chief Minister:

They are, but we do not know what impact that will have, whether it will be a positive impact or not. We need to learn from that experience. In the meantime, put in our own provisions as well, which we are committed to do.

Deputy J. Renouf:

What timetable do you have for that, given that the U.K. and other Crown Dependencies will have this in place?

Assistant Chief Minister:

It is in the legislative programme, so it will be before the runout of this term, the data protection side.

Chief Officer, Cabinet Office:

Perhaps, if I may? It is a cross-cutting policy area, as you might imagine, economy and children's policy and data protection, as you say. There will be a degree of protection from an umbrella effect of the U.K. legislation, in terms of international websites. The real benefit of Jersey is that you should be able to get a few industry players around the table and agree to make some of these changes for the customers' benefits. We often reach for that legislation lever when if we use our convene lever, which is what the Chief Minister has asked us to do, we can get the key people around the table and agree a different approach.

Deputy H.M. Miles:

I am a member of that panel. We have come to the end of our public evidence, but there will be some recommendations around how decisions are made to include or not include permissive extent clauses for this, this evening.

Chief Officer, Cabinet Office:

That is helpful.

Deputy H.M. Miles:

Thank you. We are going to move on now to People Services. One of our priorities when we took over from the previous Scrutiny Panel was to keep an eye on what was done for the People Services Review. The first area was occupational health and I wondered if you could give us an update on the transition to the new occupational health service.

Assistant Chief Minister:

We are still going out to procurement. The existing provider still remains in place. What we are going to be doing during that ensuing period is looking at how we can have more effective provision locally while looking at what provision we need to look for extending to the U.K. One thing that

comes clear from people that use the services is they want something immediate and they want something that they can relate to, because it is locally based. We are assessing the landscape to see what provision is available locally and how that can best fit. Then, equally, what provision will need to extend further afield.

Deputy H.M. Miles:

Okay. Have you got a timescale on that?

Assistant Chief Minister:

Yes, before the middle of next year we will be in a position to move the service forward.

Deputy H.M. Miles:

Are we hearing that it is going to be a blend of local on-Island and international, because we do have some expertise on-Island in occupational health?

Assistant Chief Minister:

Yes, absolutely, it will be a blended approach of on and off-Island.

Deputy H.M. Miles:

In terms of talent management, recruitment and retention, what steps are being taken to manage the retention of professional people who have raised grievances, either through whistleblowing or line management, to mitigate the impact of losing some highly qualified resources and skills?

Assistant Chief Minister:

We are reviewing our whistleblowing and grievance procedures. We have a system called NAVEX, which is a reporting system where people can completely anonymously report their concerns or what has happened to them. There are firewalls to make sure that only the right people get access to that information. That is an important part of the process, that people can feel free to speak up anonymously. What we are trying to embed is that that openness, transparency and safeguarding runs throughout the organisation.

Deputy H.M. Miles:

How is that going to mitigate the impact of losing professional people?

Assistant Chief Minister:

One of the important things that we do is exit interviews. Those can be done online so that we can assess the impact and where it has gone wrong and make provision to put it right if someone has lost their job inappropriately or they should have been covered by the whistleblowing policy. There

are lots of safeguards to make sure that that does not happen and that we learn from that experience.

Deputy H.M. Miles:

When grievances are not appropriately resolved to the satisfaction of the employee, how are you mitigating the reputation on the public sector and is this a cause for concern?

Chief People Officer:

We have restorative practice. If we have grievances that are unresolved by any of the parties then we would look to do restorative practice. For instance, we would try to do mediation in the first instance in any event, because that is important. We do have a number of measures that we can do to try and resolve these matters. Ideally, we would not want anybody to leave the organisation as a result of this, so we will do anything we can to either potentially move them within the organisation to a different department ... we are a big Government department, public service. We would always try and retain members of staff, except where in some circumstances that may not be possible.

Deputy H.M. Miles:

A particular example, reputationally, was the educational psychology service, where the national association said that Jersey was not a safe place for educational psychologists to work. Can you give us any update? Has that situation now been resolved?

Chief People Officer:

We have now had the Charles Bernard review. We have an action plan now in terms of all of the recommendations. They have been shared with the educational psychologist, but also the association. We have continuous conversations with the association and they are going back to the board, I believe, at the end of this month with those recommendations and that action plan. Hopefully that restriction will be removed.

Deputy H.M. Miles:

Okay. Are you confident that we will have a back-to-normal educational psychology service?

Chief People Officer:

In September, yes.

Deputy H.M. Miles:

Does the Government still use non-disclosure agreements as part of any compromise?

Assistant Chief Minister:

We do, yes. That can form part of the way that people progress, because they decide that on balance they do not want to go to tribunal and a non-disclosure and a payoff, for want of a better word, is the end product that we arrive at.

Deputy H.M. Miles:

Are you keeping a close eye on the U.K. legislation and the U.K. practice around the removal of non-disclosure agreements?

Assistant Chief Minister:

Yes. There are some restrictions on non-disclosure agreements when it comes to certain things that have happened in the workplace, in relation to sexual harassment in particular, which the U.K. is looking at at the moment. My view is that a non-disclosure agreement should never be involved when there is that allegation in place. Once we get the experience from the U.K. and they implement that, it is likely that we will be putting something similar in place.

[11:00]

Deputy H.M. Miles:

Thank you. I wanted to talk about the recent media over Government Headquarters. Have you received any feedback from employees at the new Government Headquarters about access to the building?

Assistant Chief Minister:

Yes. What I would like to say is I have reviewed that email, and while it was well intended, it is certainly not the Government policy that children are not allowed in the building. It was, to be fair, probably written in haste for a particular one set of circumstances. If I could talk through what the policy is, on the ground floor and on the first floor children are welcome. There are safe areas for them. If mothers are breastfeeding, there are safe, lockable areas, if they want that privacy. On balance we need to be flexible, of course, because we are a family-friendly employer, but if a parent has childcare responsibilities in an emergency situation, there are lots of options available to them. They can either work from home, they can take emergency leave, so bringing a child into an office is not the default position, but we will accommodate it where we have to. If you look at most workplaces, most children would not be able to come into a workplace. We have other floors where it is not appropriate to take children; firstly, because of the work that is going on there, because of confidentiality, because of health and safety, but we certainly do have more than adequate provision on those first 2 floors, or the ground floor and the first floor, where children are welcome.

Deputy H.M. Miles:

Are you going to put out another missive to that?

Assistant Chief Minister:

Yes. What I am going to do after this hearing, I am going to ask Lesley, between us we will draft something which is more appropriate and tells the reality of what the policy is.

Deputy H.M. Miles:

Thank you very much for that response, because obviously it came up in the Family Friendly Review and everybody sort of went: "Ooh".

Assistant Chief Minister:

That is right. Yes.

Deputy H.M. Miles:

Just a minor matter, but again about transparency and openness, this Scrutiny Panel have been trying to get a copy of that email all week from government and the request has been either rejected or ignored. So, we had to take a copy from Bailiwick yesterday.

Assistant Chief Minister:

If you could have asked me, I would have seen if I could get one to you.

Deputy H.M. Miles:

The scrutiny governmental process seems to have broken down somewhat in terms of courtesy there.

Assistant Chief Minister:

I would have happily got that to you.

Deputy H.M. Miles:

Thank you very much. That is really good to hear.

Deputy J. Renouf:

If we return to Common Strategic Policies for a moment, you have 13. Are they on track for delivery?

The Chief Minister:

Yes, every single one. Some are complete. Every single one is on track. The final start date for the new build over there is still to be agreed, but it is getting closer. Good progress is being made there, but otherwise every single one is on track.

Deputy J. Renouf:

The R.T.L. is not included in that presumably?

The Chief Minister:

The priority in the C.S.P. that that relates to is in the provision of more affordable homes for Islanders and more confidence for the rental sector. That is a priority. So, it is connected to that. We will wait to see what the States decide on when it comes back in September.

Deputy J. Renouf:

Have Ministers raised any concerns in relation to the delivery of their C.S.P. priorities, in particular in relation to their business as usual work as well? Are there pinch points?

The Chief Minister:

Not that I am aware of. Just looking through the list, we have made really good progress. There are always challenges, but generally as far as I am aware, almost there is a content with the progress. I have not had one Minister discuss with me any issues they have.

Deputy J. Renouf:

Can you state clearly what your expectations are about the role and obligation Ministers have to support the Common Strategic Policy?

The Chief Minister:

It was approved by the Assembly. So, as Ministers and States Members we have responsibility to support it. But, of course, if there were any ... is there any new information come to light, any changes, any changes in circumstances, which might cause deviation from that? If you look at the Residential Tenancy Law, while I would like to think all Ministers support the provision of more affordable homes and more confidence for the rental sector, there are aspects of the Rental Tenancy Law proposals they are not happy with. For example, periodic tendencies and rent caps, those are the 2 most contentious issues. There will always be, when it gets down to the finer detail, some areas of disagreement.

Deputy J. Renouf:

You do that through your agreement to differ policy?

The Chief Minister:

We have an agreement to differ, yes.

Deputy J. Renouf:

Does it worry you that is essentially a consequence-free method for Ministers to simply disagree with whatever they want?

The Chief Minister:

No. In practice, it does not work out like that. First of all, I do not agree with that. I think it is a mature, responsible, and pragmatic way to deal with differences in a system that does not have a doctrine of collective responsibility. I am not able to say to the Ministers: "You will ...", and I am not often inclined, because I believe in technically a non-partisan system, democracy, and basically when we have areas where the Council of Ministers do not agree, the tendency of what the agreement to differ does is ultimately shift the decision on some occasions to the Assembly so a democratic decision will always be made. It might be that when Council of Ministers cannot agree, the Assembly will agree and make the decision. I think that is appropriate and I think it is sensible and pragmatic in the type of democracy we have here.

Deputy J. Renouf:

I think the difference within the Common Strategic Policies is it is something that Ministers sat down and thrashed out among themselves. It feels strange to find such massive divisions having opened up within the Council of Ministers after the event.

The Chief Minister:

If I can respectfully say, that is a gross exaggeration. We do not have massive divisions. I cannot, unless you know, unless there is something ...

Deputy J. Renouf:

No. On the residential tenancy I mean.

The Chief Minister:

Okay, fine. Do we have massive divisions? The divisions we have are largely around the rent cap and the periodic tenancy. So, are they massive divisions? They are differences.

The Connétable of St. Mary:

Just coming on to the Residential Tenancy Law, I think the distinction we are making is that the Common Strategic Policy is regarding the principles. Yes, we do accept that individual Ministers might have resistance to the rent cap, whatever. But could that not have been accommodated by

supporting the principles in the first place? Where is the distinction, or why did Ministers or Ministerial team not follow the Common Strategy Policy on that point and reserve their objection to the letter?

The Chief Minister:

We did not have a vote on the principles because the principles were deferred. I forget the mechanism Deputy Gardiner used.

The Connétable of St. Mary:

We did not have a vote, but various Ministers said they would not vote for it.

The Chief Minister:

The Assembly voted on a reference back. There was no vote on the principle. I happen to believe that if we had gone to a vote on the principles on the day, they would have been approved.

Deputy J. Renouf:

But several of the Ministers, including the Assistant Chief Minister, would have voted against the principles.

Assistant Chief Minister:

I think politics is about compromise, and sometimes you need to encourage people to compromise, and that was one of the mechanisms which was available. Broadly, there was not enough in there for me to vote for the principles. But it does not mean that we have got to that end point yet. We have got a whole summer to keep discussing it and to keep finding a proper solution, which we started doing around the Council of Ministers table, but you cannot always get to that end point. Sometimes we need to thrash it out in the Assembly, as the Chief Minister has said. That may be where it ends up.

Deputy A.F. Curtis:

I think this is the other side of the coin, is it not? Deputy Renouf was asking about the obligation of Ministers to support the C.S.P., but, Chief Minister, there are C.S.P.s in which a Minister leads. So, the R.T.L. is led by the Minister for Housing. To what extent do you see it is his responsibility to, in essence, ensure that what he brings forward does gain the support of Ministers before getting it thrashed out at the table, and do you think that was done sufficiently?

The Chief Minister:

First of all, can I say the detail of the R.T.L. is not referenced in C.S.P.? The CSP is at a higher level, about supporting more affordable homes and more security for tenants. So, you could argue

without a rent cap and without the periodic tenancies, the rest of the law does provide more security for tenants. I think the Residential Tenancy Law was discussed 5 or 6 times at Council of Ministers, and the majority of the Council of Ministers did approve it at that stage. But at the same time, a number of Ministers said they were doubtful whether they could support the whole thing, and we agreed on the process we followed, which is agreement to differ, and there are various reasons, and that is the position we find ourselves in. The Minister for Housing has said: "Now I will accept the decision of the Assembly. If the Assembly reject it, or parts of it, we go with what we can."

Deputy H.M. Miles:

Thank you. Just moving on now to the Control of Housing and Work Law, we passed the amended law in April 2025, and we were expecting regulations to come into force, expected the lodging this year. Can you update us on the progress of the timeline for lodging and when the panel can expect to be engaged from a scrutiny perspective on the orders and the guidance?

Chief Officer, Cabinet Office:

I would expect you to be briefed by Deputy Alves in the autumn, and remember we are looking at appointed day active of January.

Deputy H.M. Miles:

Okay. We were told back in March that the orders would pretty much be a carbon copy of what exists now. Is that still the case?

Chief Officer, Cabinet Office:

Yes. As it went through the House, it was, as you know, 2 updates of rather arcane legislation, but also arcane technology, changing register to standard, and so, yes, that is the idea.

Deputy H.M. Miles:

Thank you. Is there any further policy work being undertaken, and do you anticipate bringing forward any other changes by regulation for the States during this government term?

Chief Officer, Cabinet Office:

There may be changes in relation to the categories of employment that can receive licensed lease accommodation, but I am sure Deputy Alves will brief you on that as well.

Deputy H.M. Miles:

Okay. Can you brief us on any work under way to consider the modern remote working practices on the Housing and Work Controls?

Chief Officer, Cabinet Office:

I do not think there is any plans for that in regulations presently, but I will check.

Deputy H.M. Miles:

During this term. So, the digital nomad stuff is kind of on ...

Chief Officer, Cabinet Office:

Yes. I do not believe so, but we can check. I am sure she will talk to you about that.

Deputy H.M. Miles:

Okay. Thank you very much.

Deputy A.F. Curtis:

Minister, during the quarterly hearing in March you noted the population policy is one of your main challenges that you wish to address. With that in mind, what steps have you taken since March to progress this work stream?

The Chief Minister:

It has moved swiftly up since the publication of the latest figures. We are aware of the demographic challenge because they were outlined in the Sustainable Economic Plan previously. The falling birth rate, the fact that is continuing, not just here but in other jurisdictions, has now accelerated this to a much higher area of priority, and that is why we are encouraging as many Members as possible to join next week, because we will be focusing on the population challenges at the all States Members workshop. As I said before, I would like these workshops to help us shape policy moving forward. We are still exploring the statistics and policy implications for birth rates and working age population. We cannot attribute the downward trend in birth rates to any one thing specifically. We do suspect, and there is evidence, that a large part of it is linked to cost of housing, cost of living, cost of nursery fees, provision, affordability around having the family. But, of course, families now are working differently. Families are generally starting later, marriages are later. There is all sorts of statistics. People wanting to travel, and more empowerment for women in society, and wanting to follow careers. There is a whole lot of issues that ...

Deputy H.M. Miles:

Do you think confidence in our maternity services is a factor as well?

The Chief Minister:

That is not something that particularly raised itself so far. I would not think so.

Chief Officer, Cabinet Office:

Not something that has come our way, no. As the Chief Minister said, you have got it right across the western world. We are in a generation now in which more women went to higher education. Therefore, it is understandable the age of which they are starting to have children comes later, because they want to maximise their career benefits of that. Then there is 2 consequences to that. One is a trend for smaller families, because by definition the time period is shorter. The second is grandparents are also older. So, there is an intergenerational childcare issue going on there as well. We are going to get into this in detail on Tuesday. For any Members that can join us, it is a key section of one of the round tables.

[11:15]

Deputy A.F. Curtis:

I presume since March, given the focus on this, work has been done to form ideas, form policy. Just back to my first question, where has your focus been since March in building policy and understanding the issue in what has changed?

Chief Officer, Cabinet Office:

The key thing is it is the same as the last Council of Ministers address, which is you have an ageing population, you have the dependency ratio widening, and we need to find ways to encourage working age population to be maximised for participation, but also to look at where we can make sure Jersey is attractive for migrant workers, because we do need significant numbers of them. Within that first cohort of maximising the Islanders, of course pro-natal policies, as you might call them, they are an issue. Our problem has been ...

Deputy H.M. Miles:

I have never heard that term before.

Chief Officer, Cabinet Office:

In policy terms that is what it is called. Because there is a good evidence base of Asian countries and many western countries, France, Italy, trying to address this through tax levers, through childcare, through housing.

Deputy H.M. Miles:

Addressing the gender pay gap.

Chief Officer, Cabinet Office:

Size of housing, exactly, I.V.F. (in-vitro fertilisation). The main problem with this, though, is that very few, if any, are working, and there is no return on investment for very considerable sums. So, you might be able to make some changes, but you are dealing with cultural issues and generational issues here.

The Chief Minister:

Can I just ... also more specifically, Deputy Curtis asked what has happened, and we know that a lower birth rate will have a limited impact in 2 or 3 decades' time on the number of adults of working age, but at its peak the birth rates only provided plus-400 per annum babies, where we need to reach plus-700 for making sure the working age population ...

Deputy A.F. Curtis:

That is 700 babies a year?

The Chief Minister:

Yes.

Chief Officer, Cabinet Office:

You need a working age population of at least ... the overall population needs to grow by about between 325 extra and plus-700 extra in order to have the same amount of dependency ratio. That is the rationale.

The Chief Minister:

So, you could say alongside that an ageing population will create greater demand for healthcare and social support in the future, ahead of the challenges faced by the birth rate. The housing ... big aspect of investing in Jersey in the long-term capital planning, the catalyst of which were the oncoming challenges of working age population and falling birth rate, and you will have that explained to you when the detail comes out about the provision of affordable homes, accommodation for workers and retirement.

Deputy A.F. Curtis:

I think Deputy Renouf has got one to jump in, but I have one more, which Mr. Wylie said. We know we need significant numbers of migrant workers. Is that written down as a fact and understanding? Because part of a population policy is understanding the levers and understanding what Jersey looks like and its demographic composition of age, of work of ... Is this taken as a government policy that we need more migrant workers?

The Chief Minister:

It is under discussion. One of the advantages of our belief that we have around population is just when we were worried about population growing too much we slowed down immigration, who we let in and the conditions. We can turn the dial the other way slightly, and it could be that in the years ahead we might allow more younger families to come and live and work here. It is a flexible population policy that we are discussing at the moment. We can always refine that as we move forward in line with the demands and the challenges we face.

Deputy J. Renouf:

You have obviously done some thinking about this. Jersey has a birth rate of around 1.2, does it not, at the moment? Is there anywhere in the world that you have found with a lower birth rate?

Chief Officer, Cabinet Office:

Lower birth rate? South Korea is about 0.7, for example France is heading that way. But what you have got in most of those jurisdictions is a whole country of different ethnicities and everything going on. You have got a very small cohort here that we can measure differently. Israel is one of the only ones that is bucking the western trend. They are up to about 3.

Deputy J. Renouf:

It is a precursor question in a way, is to try and understand what lessons we might learn from places which are in a similar or worse position.

Chief Officer, Cabinet Office:

Exactly. We have been doing that work.

Chief Executive Officer:

It is a good point, and one does not want to be Jeremiah, but the team have looked well at the prenatal policies, and the evidence of them working is close enough to zero. We will call it zero. Lots of things have been tried. Hungary claims to be working, but some question marks over the empiricism of that study.

The Chief Minister:

The incentives.

Chief Executive Officer:

Yes. If we look at it in democracies and what has been tried, lots of things that people think would be obvious things to try have been tried, but the results have not been heartening. The only country that has turned things around from a very low basis is Japan. We need to understand a little bit

more about that, but a lot of that is around childcare provision and so forth. But it is whether it is going to be comparable to us at the moment. The research is not encouraging.

Deputy J. Renouf:

I was not just thinking about the incentives, I was thinking about the understanding of the reasons. Because if you understand the reasons, then you can withdraw barriers rather than provide incentives, if you see what I mean.

Chief Officer, Cabinet Office:

So what I described in the first, in terms of generational ... this is a generation that across the world is more likely to come to higher education than the generation before that. That is a significant issue, and the evidence seems to have affected a number of different countries.

Deputy J. Renouf:

Broadly, you can have factors like that, which you cannot change. But you have other factors around cost of bringing up children and so on, which you can change. So, I am interested in the extent to which we have and understand what weighting applies to these different factors.

Chief Officer, Cabinet Office:

Yes. But as the Chief Executive said, we have explored those pro-natal in other jurisdictions, and you have in some cases 10, 20 years' worth of evidence they have not been able to have an effect.

Deputy H.M. Miles:

Thank you. It would be really interesting on Tuesday as well, be good to have a follow-up after that for Members who cannot attend. Is the session going to be recorded?

Chief Officer, Cabinet Office:

We did not last time.

Deputy H.M. Miles:

Okay. I am going to hand you to Connétable Johnson now, who is going to ask you about complaints.

The Connétable of St. Mary:

Yes, thank you. Before I ask my questions, may I apologise for not being here at the outset due to appearing in court on a parochial support matter rather than anything else. **[Laughter]**

Deputy H.M. Miles:

Thank you for the clarification.

The Connétable of St. Mary:

It is on complaints handling. There has been a public consultation process and we understand that the final proposal is due to be delivered to you, Chief Minister, by July 2025. Have you received those proposals and are they still on track?

The Chief Minister:

Yes, I have had an interim update towards the end of June from Deputy Scott, who is in the process of completing her work. I must say she has done what appears to be a very thorough piece of work. So, proposal for an ombudsman be brought to the ... or whether we go with an ombudsperson or not. Imminently now, I think, that could be end of July, August time, but I am expecting a further update from Deputy Scott imminently.

The Connétable of St. Mary:

Will a proposal from her go to ask the public by the end of the month?

The Chief Minister:

Yes. Those will be presented, which we are quite happy to share with Scrutiny, and it will go to Council of Ministers. Now, the logistics of that, because we have a number of budget workshops and Council of Ministers planned between now and September, so I anticipate that we fit it into one of those, and a decision will be made. As I said, we will either make a decision to move forward towards an ombudsperson or not. If we do not, we said we would come back to the States with that. It is based on the States' decision.

The Connétable of St. Mary:

What is your general view regarding the consultation undertaken and the consultation outcome? Was it robust enough? Did it pay enough attention to previous decisions of the States and the Royal Commission, for instance?

The Chief Minister:

Well, I believe so. I have not seen the actual numbers of returns around the consultation. But Deputy Scott has worked collegiately with relevant stakeholders to produce a good piece of work that is complete enough for us to make a good decision. Paul, do you want to just ... you have been working closely on that.

Chief Officer, Cabinet Office:

Just to echo with that, there has been no reported issues with the methodology, and because there has been a good weight of discussion over the years, Deputy Scott was able to start from quite a high base. So, it is more about what to do with that.

The Connétable of St. Mary:

Was it wrong to focus on any particular decision? There has been a recent one, which was not to the liking of the Minister concerned, who refuted its findings. Does that not summarise the basic problem we have? The present system we have has not really been acted on by Ministers and perhaps has not got, therefore, the respect that it deserves.

The Chief Minister:

You could point to a number of deficiencies in the existing system. You could also point to a number of areas where it has been reasonable. What we are looking to now is what we have, is that adequate for today's society and the challenges we face?

The Connétable of St. Mary:

Okay. We look forward to receiving the proposal. How will it be presented within the budget, given our amendment to last year's budget regarding establishment of the ombudsman?

The Chief Minister:

I am not sure what is being proposed, so it depends on the cost of what is being proposed, and then we will look at the cost of what we have got at the moment and look at reprioritisation of our budget from elsewhere, too.

The Connétable of St. Mary:

Is it your intention, as you indicated before, that there will be a standalone debate on the matter rather than coming within the budget debate?

The Chief Minister:

Only a standalone debate if the Council of Ministers decide not to go with an ombudsperson, because that would be contravention to a previous States decision.

Deputy J. Renouf:

So that would be a rescindment.

Deputy H.M. Miles:

Yes. We would have to rescind it.

The Chief Minister:

Even though not every States' decision has been rescinded in the past, we do it this time.

Deputy J. Renouf:

But to be absolutely clear, there will either be a budget line for whatever is being proposed or there will be a rescindment proposition?

The Chief Minister:

Yes.

The Connétable of St. Mary:

Thank you for that.

Deputy H.M. Miles:

Thank you. Just to pick up over Independent Jersey Care Inquiry matters, can you just update us on the progress of the workstream and whether any legacy projects remain outstanding?

Assistant Chief Minister:

The plaque is something which is still outstanding. So, again, we are just working with care leavers to get the wording right and to decide on the correct location. As you probably saw, we were in a shape to unveil it, and there was some negative opinions, which we have to listen to. So, we are going back out to those stakeholder groups, and it is quite hard because they do not speak with one unified voice. But we have to find something which is going to be acceptable to the majority. So, the likelihood is we will change the wording slightly and we may seek to place it somewhere like the Place to Remember, which might be a more appropriate place for a public apology. But we are still in discussions on those.

Deputy H.M. Miles:

Where is the Place to Remember?

Assistant Chief Minister:

That is at the gardens at Havre des Pas. There is a little water feature and a little sheltered area where people can go in quiet contemplation, and that was ...

Deputy H.M. Miles:

So, it is unlikely to be going on the wall at Piquet House in the Royal Square?

Assistant Chief Minister:

We have not completely decided. It is still a possibility, but there was some negative social media attention.

The Chief Minister:

I think bottom line is some victims do not want an apology, they do not want a reminder, and some do, and we are trying to sort of find the best way.

Deputy H.M. Miles:

To navigate it?

The Chief Minister:

Yes.

Deputy H.M. Miles:

Are there any other outstanding areas? It is just filtered into work and business as usual now?

Assistant Chief Minister:

Exactly. Children's Day is embedded in what we do every year. Fantastic event last Sunday.

Deputy H.M. Miles:

One of the recommendations of the Independent Jersey Care Inquiry was obviously the promotion of the Office of the Children's Commissioner. Have you got any thoughts around how the budget is going to be allocated for the Office of the Children's Commissioner? Are they going to be subject to a reduction in budget?

Chief Officer, Cabinet Office:

The way that the budget works is the allocations are made to the head of expenditure, to become an office level, and then decisions will be made by Ministers as to how you apportion that within that. So, it is a decision that has not been made yet.

Deputy H.M. Miles:

Okay. Is that likely to remain the same or is it likely to be reduced?

Chief Officer, Cabinet Office:

We are likely to continue to reduce the size of the Cabinet Office. It does not necessarily follow that the Children's Commissioner will be asked to make ...

The Chief Minister:

I will be clear, there are no plans to reduce the budget of the Children's Commissioner at this stage.

Deputy H.M. Miles:

Okay. Thank you very much for that.

[11:30]

Deputy J. Renouf:

Can you update us on the progress on the International Cultural Centre?

Assistant Chief Minister:

Yes. The International Cultural Centre is an individual rather than a place or a building. We are going to be employing a person. Where that might best fit might be with an existing provision, perhaps in somewhere like the Salvation Army, or perhaps that needs to be placed in Union Street itself. Because the feedback that we have been getting from some people who live in the Island who are from different cultural backgrounds is there is a mistrust of Government, and the way that we break down those barriers is to give people positive experiences when they first land in the Island and positive experiences when they are here.

The Chief Minister:

Can I just clarify that? People are often coming from countries where there was even less trust in the Government. **[Laughter]** So, it is not the normal behaviour for Government just to help them and so that is an issue.

Assistant Chief Minister:

That is exactly it. So, what we need to get across to people is that we have got a supportive Government, we will help people with their problems. It is an individual, rather than a building, but the project remains largely the same.

Deputy J. Renouf:

So, the budget line is essentially a budget line for funding a person?

Assistant Chief Minister:

Yes, and some ancillary costs, but it will not be an actual building, unless we need to pay a small amount of rent if they are going to stay.

The Chief Minister:

Do you know what the proposed budget is off the top of our heads? I forget now. There was a ...

Deputy J. Renouf:

Is there a slight branding issue here? I mean in the sense that when people hear about an International Cultural Centre, they are probably not going to expect to be directed to a person.

Assistant Chief Minister:

Yes. Maybe it does need rebranding, but the concept is it gives people the support that they need, and there are already lots of organisations that do that. So, it is just finding the right home for it and wherever that may be.

The Chief Minister:

It is a lot of focus on providing the service to people coming here, and over the past few weeks officers engaged with a range of stakeholders to promote the service, such as Immigration, Citizens Advice, various service hubs and local charities. It is about coordinating efforts and providing a service.

Deputy J. Renouf:

Can you clarify the target market, if you like? Because if we have a look at international cultures here from at the lower end of the market, we also have people of a massive cultural diversity at the top end of the market, if you like. Who is this aimed at? It is not a celebration of culture, is it a targeted support for people in vulnerable positions?

Assistant Chief Minister:

Broadly, targeted support for anyone that needs it. So, that could be someone who is more vulnerable, but it might not. It is also getting people to understand the Island better, and our culture and heritage, and the way we operate. So, there is a dual aspect there.

Deputy H.M. Miles:

How does it link in with the Jersey Identity project?

Assistant Chief Minister:

Yes, I suppose there are links, because they are trying to achieve the same aim. We are trying to assist people in adopting our culture and also improving that trust in Government.

The Chief Minister:

So, as well as an orientation for people arriving who need support with housing, to find accommodation, understand tenancy agreements, and resolve housing issues if necessary for new tenants, provide information about how they access the healthcare service and support, navigating

that, and references and links in relation to immigration for residency permits and understanding the immigration laws and all that kind of thing.

Deputy J. Renouf:

I am quite interested in it in the sense of if it is a person, we also have the high value residency officer, or whatever that role is officially called. They perform a role championing within government for that sector. They try and coordinate, and would the aim be to do a similar thing in this regard? Would this person not just face outwards, could they face in and recommend changes if they are picking up problems?

The Chief Minister:

Well, of course it is the structure, and Deputy Alves is the political leader on the structure, working with Deputy Gardiner and the steering group. Is the steering group still in place? There is a body that manage and decide how they want to deliver these services, and we are open to their suggestions and direction of travel. But I think they have moved away more from spending money on the celebratory aspects of the community to a more practical form of support, because that is what they felt was needed most. So far, since 14th July, there has been 3 referrals so far. So, it is starting to gain a little bit of momentum.

Deputy J. Renouf:

Can we just get clarity about where the budget line and Ministerial responsibility lies?

The Chief Minister:

Cabinet Office, I believe.

Deputy J. Renouf:

It is still the Cabinet Office?

Deputy H.M. Miles:

No. It has moved.

Chief Officer, Cabinet Office:

It is the E.S.S.H. (Employment, Social Security and Housing).

Deputy J. Renouf:

Who is the Ministerial lead?

Chief Officer, Cabinet Office:

Deputy Alves.

Deputy J. Renouf:

Even though it has moved?

Chief Officer, Cabinet Office:

She is Assistant Minister for Education and Lifelong Learning.

Deputy A.F. Curtis:

Okay. I think for the Assistant Chief Minister now on the Freedom of Information Law and its review, can you update us on the work to update the F.O.I. (Freedom of Information) procedures and whether the review outcomes are still on track for delivery by the end of the year?

Assistant Chief Minister:

Yes. Thank you. Still on track for delivery by the end of the year. I promised that there would be an interim report, which I have in draft form. That will be coming out within the next couple of weeks. Once it has been through the process, we will share it with Scrutiny. What it looks at is the provision of better access to quality information, a proper organised publication scheme, and also looking at including A.L.O.s (arm's length organisations) within the ambit of the law. That is laid out in the interim report. There will also be a consultation exercise and a quick survey at the back of that so that we can gauge from stakeholders and individuals that where we are going is the right way to go.

Deputy A.F. Curtis:

Is it expected work can start at the point of or reform can happen from the interim report?

Assistant Chief Minister:

Yes. We have had some quick wins along the way by just starting to look at what Statistics Jersey do and learn from that model. What we looked at is the pattern of requests. Some people ask for reports every year at the same time. Let us just publish those as soon as we can rather than wait for people to ask for them.

Deputy A.F. Curtis:

It is interesting to note that currently Freedom of Information requests sometimes get lodged in tranches and that until midweek this week the most recent update to the F.O.I. releases was the 20th June. So, there was almost 3 weeks in which nothing was published. Is work going on at the moment to improve the speed of release?

Assistant Chief Minister:

Yes. Unfortunately, part of the process there is it is still quite a manual process to get those completed F.O.I.s on the website. So, a big, significant part of the report is how we can digitalise more of the process, because it can be quite cumbersome and clunky in the background. That was something that straight away I thought: "How can we use technology to make this process better?"

Deputy A.F. Curtis:

Will that require funding?

Assistant Chief Minister:

Yes. There will be some funding needed. Hopefully it should not be too difficult, but for some reason they are embedded in these processes that we just need to look at and do something different.

Deputy A.F. Curtis:

So, we will see something in the budget?

The Chief Minister:

You never know. It might not be additional funding, it might be delivered within an existing budget because it is more efficient.

Deputy A.F. Curtis:

It is a firm aim to improve systems.

Assistant Chief Minister:

Yes. But it will produce savings because we do have staff working on manual processes that they really should not be.

Deputy J. Renouf:

There is frequent criticism of the difficulty of finding information relating to government. The Policy Centre has made some very trenchant criticisms of that. Is there anybody looking at that ability to make information more accessible, clearer to people so that they can get hold of information without making an F.O.I.?

Assistant Chief Minister:

Absolutely. That is at the heart of this review, is how we can make information more accessible but easier to find and easier to understand. We are aware that sometimes people searching on the website is not the easiest way for them to find information. So, it is how we can be clear. If we have a proper publication scheme in place, there will be one place to find that information, and it should be easier to link to than it is.

Deputy J. Renouf:

Coordination between the States of Jersey website, as opposed to the Government website, because information sometimes appears ...

Assistant Chief Minister:

Yes, flits across the 2.

Deputy J. Renouf:

Government information ends up being only findable on the States of Jersey website.

Assistant Chief Minister:

Exactly. Where does that responsibility land?

Deputy H.M. Miles:

Thank you. Just a few questions about the legislative programme, management of death processes. In correspondence in March ...

Chief Officer, Cabinet Office:

It is in the development pool, yes.

Deputy H.M. Miles:

Is it being pushed into the development pool?

Chief Officer, Cabinet Office:

It always was in ...

Deputy H.M. Miles:

Okay. Because we understood that the law drafting instructions be completed in 2025.

Chief Officer, Cabinet Office:

We have 3 tiers effectively of the legislation, and this comes from us trying to prioritise and be more realistic about what is achievable. You have your Government legislative programme, which was 59 items, and there was development pool, and those which are paused for the moment at least. It was always in the development pool, in November as well.

Deputy H.M. Miles:

Okay. Thank you.

The Connétable of St. Mary:

A brief one on wills succession. In May of this year the *J.B.E. (Jersey Bailiwick Express)* had a brief article entitled: "Wills Law Review", and the opening paragraph was: "Jersey's legislation relating to wills succession is to be reviewed with a view to extending its scope to cover common law spouses and partners, the Chief Minister said." Are you able to advise as to what progress has been made on that front?

The Chief Minister:

The Legislative Advisory Panel received a brief at their last meeting on the project to amend the law. Officers are continuing to liaise with colleagues in drafting, and a more substantive update is expected at the next L.A.P. (Legislative Advisory Panel) meeting. The amendments are seeking to provide that they are ... well, you know the detail of it. The dower should give the right of life enjoyment with the matrimonial and civil partnership and so forth. So, it is proceeding. Where are we with that substantive update?

Chief Officer, Cabinet Office:

It is in the development pool, but as the Chief Minister said, it is proceeding. What we tried to do with the development pool is in the downtime of drafters it allows them to continue to work on material. It is an amber effectively, so it is not stopped, and if drafters have some capacity they can continue to progress it, as can policy officers. It will hopefully be in a position that the next Council of Ministers could pick it up and lodge it, if they wish.

The Connétable of St. Mary:

So, on that, I am aware from my own involvement on the L.A.P. that the dower aspect was taken to the end, and I think it is a question of drafting mainly now. Is that right?

Chief Officer, Cabinet Office:

Yes.

The Connétable of St. Mary:

So, you assess that will not be done during the current Assembly?

Chief Officer, Cabinet Office:

It will be worked on in the downtime. I cannot give you ...

The Connétable of St. Mary:

If there is any.

Chief Officer, Cabinet Office:

If there is any. What I cannot say is that it will be lodged before the election. At this moment in time, I would say the likelihood is it is not.

The Connétable of St. Mary:

On the common law aspect, that is at an earlier stage presumably?

Chief Officer, Cabinet Office:

I think so, yes.

The Connétable of St. Mary:

Okay. Thank you.

Deputy H.M. Miles:

Thank you. The next one that we have on the list is the Comptroller and Auditor General Law. Is that still on track for lodging at the end of quarter 3? The last one here is Power of Attorney Law. That has been moved into the development pool?

Chief Officer, Cabinet Office:

Yes. That has been a capacity issue. When we were looking at the prioritisation of the Financial Services Policy Team, and the drafting that goes alongside that, that was a conscious decision by the Council of Ministers to deprioritise that. But as I said, only into a development pool. It can still be worked on in downtime. It is just less likely to be lodged before the election.

The Connétable of St. Mary:

The Power of Attorney Law has been in the pool for some time. Maybe it has been deferred. That will come back to this panel, I take it, in due course?

Chief Officer, Cabinet Office:

If you wish to see it, yes, of course.

Deputy H.M. Miles:

Thank you. A final couple of questions for me that I did not ask earlier on, and that is around the gender pay gap. We were told that the action plans with businesses were going to be developed before the end of 2025. Can you give us an update on the progress to that work?

Assistant Chief Minister:

Yes. What we have been doing is working with Scotland's Institute of Directors to produce a framework for Jersey. We are hoping that that will come back to us in October, and then we can start to show what best practice would look like. So, that is on target.

Deputy H.M. Miles:

Thank you. One of the recommendations that we have from this panel in particular over the last budget, although we did not pursue it because it was quite new, was the issue about gender responsive budgeting. Are you taking into account gender responsiveness when you are planning for this year's budget?

Assistant Chief Minister:

Indeed, we are. There are a number of initiatives that are already in the budget. The implementation of the recommendations from the VAWG report, provision of school meals, is another really important part of that, and there was another one.

Chief Officer, Cabinet Office:

Childcare.

Assistant Chief Minister:

Free childcare provision. We are taking that into account in our budgeting process.

Deputy H.M. Miles:

Okay. I am quite pleased to hear that because the recommendation that we made last year you rejected. Are you now saying that you accept that recommendation about a gender responsive budgeting focus?

Assistant Chief Minister:

Well, I think there was a move in that direction.

The Chief Minister:

I have to relook at the wording on that, but let us say progress is being made.

[11:45]

Deputy H.M. Miles:

Thank you. As I say, it is just a heads up that it is something that we will be concentrating on in particular, and as you know other jurisdictions legislate for gender responsive budgeting.

The Chief Minister:

Yes. It is even more relevant now in light of the birth rate challenges and so forth. Yes.

Deputy H.M. Miles:

The women's health and particularly children's health, yes.

The Chief Minister:

Of course, yes.

Deputy J. Renouf:

You can obviously pick out individual things which are relevant to gender pay gaps, but the gender responsive budgeting is supposed to sit across everything so that you are always considering.

Deputy H.M. Miles:

In policy development.

Assistant Chief Minister:

Yes, exactly.

Chief Executive Officer:

Yes. The civil servants need to understand, because officers obviously pay a lot of attention to the 2013 Act, and they have policy guidance and policy templates that compel them to think about these issues in the formulation of policy. One of the things I think would be interesting is to go back to propositions to see the gap that sits on top of that, that this would fill through legislation, and what the evidence is from elsewhere.

Deputy J. Renouf:

I have another question, which is totally unrelated.

Deputy H.M. Miles:

We have a little bit of time, so if you would like to ask another question.

The Chief Minister:

Do not feel obliged to use that.

Deputy H.M. Miles:

No. We will not, but ...

Deputy J. Renouf:

It returns to the question of infrastructure funding. Indeed, we have talked a lot about where it would be spent. But there is also a lot of interest in where the money would come from. Obviously, the Deputy Chief Minister raised some possibilities in terms of either borrowing or reserves. I wonder if you can tell us anything at all about whether there is a step change planned here in policy terms, in terms of accessing money in a way that might not have been done in the past. Is that under consideration?

The Chief Minister:

Can I just clarify? When you refer to Deputy Chief Minister, you refer to he was making an announcement. He was referring to possibilities. He was promoting what he believed in and that he wanted to do, that he wanted to bring to the Council of Ministers. I just wanted to clarify that point. There is change in policy currently insofar as we are trying to balance the books out of revenue, income and expenditure. There are massive challenges coming down the road in relation to the cost of health and the cost of education, and costs of extended nursery support, and so forth. But at the moment there are no plans to go to the reserves, because we do not need to go to the reserves. We are trying to find other ways of balancing. Now, the other jurisdictions will look at the way they fund capital investment and, quite ironically, we can borrow because our reserves and our investments have been performing so well. Not quite so well, I do not think, this year as opposed to last year, but still performing well. Sometimes it is better to borrow for certain types of investment than it is to dip into our reserve, and that remains a way of thinking currently. So, there has been no real step change. But, of course, you can never rule that out because we do not know what is around the corner.

Deputy J. Renouf:

Is it being considered, for example, to borrow against the Social Security Reserve Fund? Or to take money from the Social ... to leverage in some way the Social Security Reserve Fund?

The Chief Minister:

Well, possibly. As the Social Security Fund has invested in, for example, the acquisition of Union Street because that is a good return, we will always look to the Social Security Fund. The Social Security Fund will be wanting to invest in certain capital projects that shows a return, and I see that continuing.

Deputy J. Renouf:

It is a question of whether there is a policy intent here to shift some of those investment strategies wherever possible to help support, say, investment in Jersey.

The Chief Minister:

I do not think there has been a proper policy shift. We have not decided to shift the policy there, but it is certainly a topic of discussion. Certain ministers have said: "Look, we have X billion pounds sitting there, which we could put to work in our own community rather than lending it." It is ironic, where sometimes the Social Security Fund might invest in civic projects in other jurisdictions, and why could we not invest in civic projects in our jurisdiction? Those are the sort of conversations we are having.

Deputy H.M. Miles:

Thank you. We have come to the end of our questions. Does the panel have any other final quick questions before we ...

Deputy A.F. Curtis:

I have one that we did not manage to touch on following Deputy Renouf, which is about infrastructure and linking to our earlier conversation on population policy. No doubt we will learn more soon about what you are proposing for infrastructure renewal in a long-term until 2050, 2060, but under what population modelling are you modelling that infrastructure at the moment? You did not have a clear number for what the population policy may look like growing population. How are you modelling the investment you need if we do not have a number to work on?

The Chief Minister:

Paul, did you want to start on that?

Chief Officer, Cabinet Office:

Yes. The numbers issue is perennial. It is the question that is put when we publish any population policy. It is up to any given Council of Ministers. We need to find a way to support our ageing population. We know that if we do nothing we will effectively stagnate as we are and have been for the past 5 years, and that will result in a lower amount of working age population. The Investing in Jersey Programme, if it is adopted, will be about making sure that the infrastructure is there to support any number of growth, be it housing, some transport and utilities infrastructure.

Deputy A.F. Curtis:

So, we could be over-investing if we invest in gold-plated infrastructure for a population of 140,000 and decide that is not what we want. You see where I am going is the plan may invest in ...

The Chief Minister:

It is quite important we need to run through the detail with you on it.

Deputy A.F. Curtis:

Okay.

Deputy H.M. Miles:

We will wait for the detail. Connétable Johnson, did you have anything that you wish to add?

The Connétable of St. Mary:

No, thank you.

Deputy H.M. Miles:

Okay. We are going to draw that to a close slightly early. Is there anything, Chief Minister, that you would like to ask us as a panel?

The Chief Minister:

No, but thank you.

Deputy H.M. Miles:

Okay. Thank you very much. So, the meeting is closed.

[11:51]