

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 11th NOVEMBER 2025

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[9.30]

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

QUESTIONS

1. Written Questions

1.1 Deputy D.J. Warr of St. Helier South of the Minister for Health and Social Services regarding information collected on the prescribing of medicinal cannabis (WQ.391/2025):

Question

Will the Minister advise what information, if any, is collected on the prescribing of medicinal cannabis in the Island and will he provide this data, where available, since the establishment of medicinal cannabis prescriptions in Jersey?

Answer

Article 17(14) of the Misuse of Drugs (General Provisions) Order 2009 requires a return to be made to the Chief Pharmacist where a controlled drug such as medicinal cannabis is dispensed by a pharmacist.

In 2023 a manual audit of these returns was undertaken that covered returns for the whole of 2022 and the first 6 months of 2023 the results of this audit can be found here [Medicinal Cannabis Dispensing Audit Report.pdf](#).

Work has subsequently been undertaken to digitise the returns process allowing for more timely information; 2024 dispensing is set out below.

2024

Total number of people dispensed medical cannabis	Total number of prescribers	Total number of prescriptions dispensed
Approximately 4000 (See note below)	20	53,477

Note: Without a unique Identifier, there is a risk of both duplicate and merged records. For example, patients who share the same name could be counted as a single individual, while those who use different variations of their name may appear as multiple patients therefore an approximation has been given.

1.2 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding subsidies towards school fees for permanent or fixed term contract States employees (WQ.392/2025):

Question

Will the Chair advise whether any permanent or fixed term contract States employees receive a subsidy, in whole or in part, towards school fees, beyond what is generally available to all Islanders,

and, if so, will he detail the number of staff and children who benefit from these subsidies and indicate in which sector the employees work?

Answer

The States Employment Board can confirm that no States employee has received a subsidy towards school fees, either in whole or in part, beyond what is generally available to all Islanders. Some schools offer means-tested bursaries or support for exceptional circumstances, such as financial hardship.

1.3 Deputy J. Renouf of St Brelade of the Minister for Health and Social Services regarding the Covid and flu vaccination programmes (WQ. 393/2025):

Question

In relation to the Covid and flu vaccination programmes for last year and this year to date, will the Minister advise –

- (a) the number of vaccine doses dispensed in each year;
- (b) the number, if any, disposed of without being used in each year; and
- (c) whether consideration is being, or has been, given to offering unused vaccines to other vulnerable groups rather than destroying them; and, if not, why not?

Answer

It is not possible to provide accurate figures for 2024 and 2025 to questions a) and b) above, as the numbers have been compiled from multiple data sources and they cannot be fully verified.

In addition, the current Covid and Flu vaccination campaigns in 2025 are ongoing and because of a time lag before data is analysed, current figures are likely to be an underestimate.

The data provided in the table below is an estimate of doses administered, and doses unused, along with the number of individuals in the eligible cohorts for each vaccine campaign.

	Calendar Year	Flu vaccine (2024/25 and 2025/26 campaigns)	COVID vaccine – spring campaign	COVID vaccine – autumn campaign
Doses procured	2024	42,520	8,850	20,400 (+3,360 doses carried forward to Spring 2025 campaign)
	2025	34,010	2,930 (+3,360 doses carried over from Autumn 2024 campaign)	8,640 up to 23.10.25

Persons eligible for vaccine	2024	75,459	11,593	36,821
	2025	57,861	11,600	12,123
Doses administered	2024	30,937	3,760	10,780
	2025	13,149 to date	3,170	2,079 up to 13.10.25
Doses unused	2024	11,583	5,090	6,261
	2025	Campaign ongoing	3,120	Campaign ongoing

Doses procured

Vaccine doses are centrally procured through the hospital pharmacy to ensure optimal value for money. The number of doses purchased is based on the eligible population, adjusted to take account of previous vaccine uptake. The procurement volume is approved by the Jersey Vaccination Board.

Persons eligible for vaccine

This is an estimated figure, as an individual may fall under multiple eligibility groups. Vaccine eligibility for COVID and flu campaigns has also changed over the last two years, as set out below, so the groups eligible for vaccines are not directly comparable.

Doses administered

The figures for 2025 are incomplete, as the flu and autumn Covid campaigns are ongoing and there is a time lag in data collection and analysis. The current figures for 2025 are likely to be an underestimate. Multiple providers deliver the vaccinations, GPs, Community Pharmacists, Health and Care Jersey (HCJ) and Public Health. Most vaccines for adults are administered in Primary Care.

Doses unused

The doses unused is the difference between the doses available for use, and the number administered. Unusable stock remaining in the hospital pharmacy will be appropriately disposed of. Unused stock issued to GP practices and pharmacies can theoretically be used for other individuals where this is deemed clinically appropriate but there is currently no data on the outcome for these doses.

Offering vaccine to individuals outside eligibility criteria

Eligibility criteria for vaccination programmes are designed to provide maximum population benefit, taking account of vaccine effectiveness, risk of severe disease, and available funding.

Within the Covid and flu programmes, the vaccine is not routinely offered to those outside the eligibility criteria for the following reasons:

- Peak activity can appear late in the season and the demand for the vaccine can surge unpredictably. The vaccine needs to be available and accessible to those people most in need throughout the whole flu season.
- Flu is a seasonal infection, and the vaccination campaign is timed to reflect this. Vaccines can only be identified as ‘unused’, once the campaign and season have concluded or are near to completion.
- The data clearly show a shortfall in uptake among eligible groups. Allowing wider vaccine use would not incentivise providers to address this shortfall.

The amount of unused vaccine is primarily because of a mismatch between the vaccine doses procured and administered by individual providers.

Every effort is being made to promote uptake as a collaboration between all providers and underpinned by a focused communications plan. Complementary vaccine clinics will be offered if uptake does not meet expectations.

Additional information

In Jersey, vaccination programmes are aligned to those in the rest of the British Isles and are delivered in accordance with recommendations from the national Joint Committee on Vaccination and Immunisation (JCVI), which recommends vaccines for those most at risk of serious illness and complications.

Jersey officers observe JCVI meetings, where an extensive range of international data is analysed, helping to make recommendations for vaccination policy. Our Jersey Vaccination Board considers the impact of all vaccine preventable diseases when recommending vaccine policy to manage the range of funding requirements.

Eligible cohorts for the Covid and flu vaccination campaigns covering 2024 and 2025 are:

Flu vaccines – 2024/25

- People aged 50 or over
- Clinically indicated people, also being aged six months or older, in clinical risk groups as defined by the Green Book
- Pregnant women
- People in receipt of Jersey Social Security Home Carers Allowance benefit
- People in close contact with immunocompromised individuals
- A person cared for in their own home.
- People employed to work in a registered residential care home or as a domiciliary care worker
- Clinical staff and staff with patient contact in GP practices, Pharmacies, Family Nursing and Home Care and Dental Practices

- A child aged 2, 3 or 4 years
- A child aged 6 months up to 2 years in an at-risk group due to a medical condition.
- Primary school age children (from reception to year 6)
- Secondary School age children (from year 7 to year 11)

Flu vaccines – 2025/26

- People aged 65 years and over
- Clinically indicated people, also being aged six months or older, in clinical risk groups as defined by the Green Book
- Pregnant women
- People in receipt of Jersey Social Security Home Carers Allowance benefit.
- People in close contact with immunocompromised individuals
- People in long-stay residential care homes
- A person cared for in their own home
- People employed to work in a registered residential care home or as a domiciliary care worker
- Clinical staff and staff with patient contact in GP practices, Pharmacies, Family Nursing and Home Care and Dental Practices
- A child aged 2, 3 or 4 years
- A child aged 6 months up to 2 years in an at-risk group due to a medical condition.
- Primary school age children (from reception to year 6)
- Secondary School age children (from year 7 to year 11)

COVID vaccines – Spring 2024

- Adults aged 75 years and over
- residents in a care home for older adults
- individuals aged 6 months and over who are immunosuppressed as defined in the Green Book

COVID vaccines – Autumn 2024

- Age 65 and over
- Residents in a care home for older adults
- Younger adults in long-stay nursing and residential care settings
- Persons aged 6 months to 64 years in a clinical risk group, as defined in the Green Book
- Health care workers comprising clinical staff and staff with patient contact in GP practices, Pharmacies, Family Nursing and Home Care and Dental Practices

COVID vaccines – Spring 2025

- adults aged 75 years and over
- residents in a care home for older adults
- individuals aged 6 months and over who are immunosuppressed as defined in the Green Book

COVID vaccines – Autumn 2025

- Adults aged 75 years and over
- Resident in a care home for older adults
- Individuals aged 6 months and over immunosuppressed as defined in the Green Book

1.4 Deputy K.M. Wilson of St. Clement of the Minister for Infrastructure regarding all Infrastructure capital schemes initiated, allocated or completed since he took office (WQ.394/2025):

Question

Further to the publication of the report entitled [Major and Strategic Projects, including Capital Project](#) by the Comptroller and Auditor General and the [Executive Response \(R.172/2023 Res\)](#) presented by the Public Accounts Committee, will the Minister –

- provide a summary of all Infrastructure capital schemes initiated, allocated or completed since he took office to include, but not be limited to, the estimated and actual cost of each scheme broken down by category and value;
- advise for each scheme whether it is financed through borrowing, reserves or reallocations of budget;
- detail which schemes have exceeded their budgets and to what extent;
- state whether a consolidated register of all major and strategic projects exists and, if not, explain why not; and
- detail what improvements, if any, have been introduced to ensure project budgets, forecasts and outturn are tracked and consistently reported?

Answer

The table below answers a) through to d) by:

- Providing a summary of all Infrastructure capital schemes initiated, allocated and completed since the Minister for Infrastructure took office.
- Confirming how each project was funded.
- Detailing which schemes exceeded their budget: no projects exceeded budget; all projects received the appropriate expenditure approval via Budget Plans and budget transfers to mirror cashflow requirements.

d)Presenting a consolidated register of all major and strategic projects.

Reference	Column	1	2	3	4	5	6	7	8	9	10	11
Feasibility												
£'000		2024 Budget	2024 Actual	Variance	2025 Original Budget	2025 Actual Year to Date	2025 Forecast	Proposed Revised 2025 Budget	Proposed budget re-profile to 2026 onwards	Forecast Variance 2025	Project Complete Y/N	Funding Source
	Cycling and Walking Infrastructure Delivery Programme	30	30	-	-	-	-	-	-	-	N	Budget
	Vehicle Testing Service	186	-	186	100	-	-	-	(100)	-	N	Budget
	Shoreline Management Plan	-	-	-	542	256	542	542	-	-	N	Budget
	Markets Revitalisation	87	87	-	-	-	-	-	-	-	Y	Budget
	Springfield Feasibility	35	35	-	-	-	-	-	-	-	Y	Reallocation
	Animal By Products	70	70	-	-	-	-	-	-	-	Y	Reallocation
	Liquid Waste Key Infrastructure Projects	1,250	1,250	-	-	-	-	-	-	-	Y	Realloc & Reserves
	Crematorium feasibility	27	27	-	300	45	100	300	-	(200)	N	Reallocation
	Total Feasibility	1,685	1,499	186	942	301	642	842	(100)	(200)		
Estates												
£'000		2024 Budget	2024 Actual	Variance	2025 Original Budget	2025 Actual Year to Date	2025 Forecast	Proposed Revised 2025 Budget	Proposed budget re-profile to 2026 onwards	Variance	Project Complete Y/N	Funding Source
	Mont a' L'Abbe Secondary	263	267	(4)	-	-	-	-	-	-	N	Budget
	North of St Helier Youth Centre	-	-	-	2,500	299	1,350	1,350	(1,150)	-	N	Budget
	Jersey Opera House	11,820	11,725	95	-	-	-	-	-	-	Y	Budget
	Oakfield and Fort Regent Decant	1,500	674	826	7,490	6,764	7,490	7,490	0	-	Y	Budget
	Office Modernisation	4,951	4,432	519	519	443	519	519	(0)	-	Y	Budget & Reserves
	Major Refurbishment and Upgrades	5,485	4,036	1,449	6,449	2,860	5,849	6,449	-	(600)	N	Budget
	Land Acquisition	3,758	3,758	0	-	-	-	-	-	-	Y	Reserves
	Other I&E Estate Projects	1,215	1,160	55	1,360	561	803	803	(557)	-	N	Budget
	Ambulance, Fire & Rescue Headquarters	150	37	113	113	42	60	60	(53)	-	N	Reallocation
	Property Dilapidation	446	446	-	-	-	-	-	-	-	Y	Reallocation
	Orchard House	0	0	-	-	139	215	-	-	(215)	Y	TBC
	Total Estates	29,588	26,535	3,053	18,431	11,108	16,286	16,671	(1,760)	(815)		
	<i>Field Developments & Play Space</i>	1,322	716	606	-	-	-	-	-	-	Y	Budget
	<i>Existing Youth Service Facilities</i>	2	-	-	-	-	-	-	-	-	N	Budget
	Upgrades to CYPES Estates	1,324	716	606	-	-	-	-	-	-		
Infrastructure												
£'000		2024 Budget	2024 Actual	Variance	2025 Original Budget	2025 Actual Year to Date	2025 Forecast	Proposed Revised 2025 Budget	Proposed budget re-profile to 2026 onwards	Variance	Project Complete Y/N	Funding Source
	Infrastructure Rolling Vote and Public Realm*	16,950	16,950	-	16,850	11,320	16,850	16,850	-	-	Y	Budget
	Sewage Treatment Works	4,487	4,082	405	1,703	362	1,703	1,703	(0)	-	N	Budget
	Liquid Waste Key Infrastructure	3,657	3,572	85	8,435	2,440	4,307	4,307	(4,128)	-	N	Budget
	Springfield Pitch & Floodlights	-	-	-	845	845	845	845	-	-	Y	Budget
	Road Safety*	485	478	7	345	235	345	345	(0)	-	N	Car Park Trading
	Other Infrastructure*	3,190	3,190	-	2,443	1,390	2,443	2,443	-	-	N	Budget
	Total Infrastructure	28,769	28,271	498	30,621	16,592	26,493	26,493	(4,128)	-		
Replacement Assets and Minor Capital												
£'000		2024 Budget	2024 Actual	Variance	2025 Original Budget	2025 Actual Year to Date	2025 Forecast	Proposed Revised 2025 Budget	Proposed budget re-profile to 2026 onwards	Variance	Project Complete Y/N	Funding Source
	Replacement Assets and Minor Capital - I&E*	5,350	5,350	-	4,550	2,822	4,550	4,550	-	-	N	Budget
	Total Replacement Assets and Minor Capital	5,350	5,350	-	4,550	2,822	4,550	4,550	-	-		
Projects Funded from the Criminal Offenses Confiscation Fund (COCF)												
£'000		2024 Budget	2024 Actual	Variance	2025 Original Budget	2025 Actual Year to Date	2025 Forecast	Proposed Revised 2025 Budget	Proposed budget re-profile to 2026 onwards	Variance	Project Complete Y/N	Funding Source
	Dewberry House - Sexual Assault Referral Centre	1,750	112	1,638	1,638	32	175	175	(1,463)	-	N	COCF
	Prison Improvement Works	1,697	374	1,323	1,122	1,015	1,122	1,122	-	-	N	COCF
	Total COCF Projects	3,447	486	2,961	2,760	1,047	1,297	1,297	(1,463)	-		
	TOTAL PROGRAMME	70,163	62,858	7,303	57,304	31,870	49,268	49,853	(7,451)	(1,015)		

Reference columns 1 to 11:

Column 1 is the final approved Budget 2024, which can include the following:

- A. Capital budget approved in the Budget 2024, representing
- A. Capital underspends from previous years, rolled forward to 2024.
- B. Reserve allocations approved 'in year'.
- C. Funding from other sources, such as Jersey Car Park Trading Fund.

Column 2 is the actual spend in 2024.

Column 3 is variance between budget and actual 2024: underspend / (overspend).

Column 4 is the approved Budget 2025, plus any approved carry forwards from earlier years (from underspends).

Column 5 is the actual spend to September 2025.

Column 6 is the full year forecast spend for 2025.

Column 7 is the proposed budget revision for 2025 (based on forecasts) pending approval in Budget Plan 2026. It includes carry forwards from prior years, less any proposed carry forwards to future years, to deal with latest cash flow requirements.

Column 8 is the proposed carry forwards into 2026 of unspent budget in 2025 per Budget Plan 2026 (pending Assembly approval).

Column 9 is the proposed adjustments on certain schemes after Budget 2026 was lodged and following revised 2025 forecasts. These adjustments may be requested to be carried forward as part of the year-end flex arrangements.

Column 10 states whether the project is complete (Y) or not (N).

Column 11 states the funding source/s for the project.

Answer to e)

The Department, working in conjunction with Treasury and Exchequer, adopts a continuous improvement approach to budgeting and forecasting:

- Training has been provided to budget holders to strengthen the management of project costs, supported by monthly review meetings where financial reports are circulated in advance.
- Year End Operational budget trackers are used to identify future trends and improve forecasting accuracy.
- Project Boards review project progress, risks, and financial status.
- Quarterly Capital Forecast Board, chaired by the Accountable Officer and Directors, provides enhanced oversight and governance.
- A re-profiling exercise is also undertaken to ensure all stakeholders understand the importance of maintaining accurate cashflows and realistic delivery programmes, minimising the risk of funding shortfalls and supporting the timely delivery of projects.
- Lessons Learned reports are used to inform future capital projects.
- Departmental Project Leads supporting the overall capital program with I&E newly allocated that strengthens management information.
- Regular meetings are held with Treasury officers to ensure overall alignment with Government budget priorities.

1.5 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding emails sent from members of the public to all States Members (WQ.395/2025):

Question

Will the Chair advise what proposals, if any, are being considered by the Privileges and Procedures Committee to improve the efficiency and consistency of the way in which emails sent from members of the public to all States Members are dealt with, and has any consideration been given to requiring that the relevant Minister responds in the first instance?

Answer

PPC as previously constituted considered this matter on 16th June 2025 as the Deputy had previously raised this matter. The Committee wrote to the Chief Minister and to the President of the Scrutiny Liaison Committee to raise the Deputy's ideas that the relevant Ministers could respond to public correspondence addressed to all elected States Members and that this could be followed up by the relevant Scrutiny Panel. The Committee's own initial view was that amendments to Standing Orders on this matter would not be required, but that guidance could potentially be produced for all Members (dependent upon the response from the Chief Minister and SLC).

The Committee as currently constituted has yet to consider this matter. The Chief Minister has advised that guidance for the Ministerial Office covers this subject and indicates that the relevant Government Member(s) should respond to correspondence addressed to all such Members and (if cross-cutting) only to those parts that relate to their portfolio; this guidance extends to correspondence sent to all Members. The intention of the guidance is to ensure that the relevant Minister responds to correspondence in a timely manner and with limited duplication. Once PPC has received an indication from the SLC of its views, it will return to this matter and decide whether it should undertake any further work.

In connection with this matter, PPC agreed that the option to e-mail all Members should be the last to appear on the dropdown menu on the States Assembly website for the public to contact elected States Members. The idea behind this move was to encourage the public to contact those Members who are most directly linked to their Constituency or Parish or to the subject of their correspondence. Further improvements to the website are being investigated by the States Greffe along similar lines, whereby the Members relevant to a particular topic (the Government and Scrutiny Members) would be made easier to identify. This is also informed by the idea that public correspondence would then get to those Members who are closest to the issue at hand.

1.6 Deputy M.B. Andrews of St. Helier North of the Chair of the Commonwealth Parliamentary Association (Jersey Branch) Executive Committee regarding overseas trips undertaken on Commonwealth Parliamentary Association business since June 2022 (WQ. 396/2025):

Question

Further to the response to [Written Question 132/2024](#), in respect of overseas trips undertaken on Commonwealth Parliamentary Association business since June 2022, will the Chair provide an update and advise for each Member –

- (a) the number of overseas trips undertaken;
- (b) the number of days spent overseas; and
- (c) the total cost of trips?

Answer

The Committee has committed to pro-active publication of this information and the detailed data for 2024 can be found within the annually published report of CPA and APF activities –

[CPA and APF activities 2024](#)

The information for 2025 to date is provided in the below table and lists only those Members who have undertaken CPA trips during this period. For completeness a table is also provided which shows the totals to date for all of the trips undertaken since June 2022.

The costs shown are those met from the States Assembly’s budget, but it should be noted that in relation to certain trips, the flights and/or hotel costs were met by the CPA. Since 2024, Deputy Le Hegarat has been one of the British Islands and Mediterranean Region representatives on the CPA Executive Committee and consequently her travel and expenses in relation to trips relating to those activities have been covered by CPA UK.

2025 only

Member	Number of trips	Number of days	Total cost	Notes

Connétable Mike Jackson	2	7	£1,285.39	Trip 2 – hotel paid for by CPA Wales Branch
Connétable Kevin Lewis	1	8	£4,670.90	Economy flights paid for by CPA and upgrade to Premium Economy paid for by SG
Connétable Richard Vibert	1	3	£225.63	Hotel paid for by CPA HQ
Deputy Carina Alves	1	6	-	Fully paid by CPA UK
Deputy Sir Philip Bailhache	1	3	£593.46	Hotel paid for by CPA HQ
Deputy Tom Coles	2	6	£2,036.87	
Deputy Louise Doublet	2	7	£634.61	Trip 1 - hotel paid for by CPA Scotland Branch Trip 2 – hotel paid for by CPA Wales Branch
Deputy Inna Gardiner	1	6	-	Fully paid by CPA UK
Deputy Mary Le Hegarat	3	23	£2,279.45	Trip 1 – hotel paid for by CPA Scotland Branch Trip 2 – paid for by CPA HQ Trip 3 – flights paid for by CPA UK and 2 nights hotel paid for by CPA Barbados Branch
Deputy Hilary Jeune	1	3	£329.55	Hotel paid for by CPA Scotland Branch
Deputy Raluca Kovacs	1	8	£1,745.90	Economy flights paid for by CPA
Deputy Elaine Millar	1	5	£1,182.78	
Deputy Montfort Tadier	1	4	£422.33	Hotel paid for by CPA Wales Branch
Deputy Barbara Ward	1	8	£4,371.40	Economy flights paid for by CPA and upgrade to Premium Economy paid for by SG
Deputy Rob Ward	1	11	-	Fully paid by CPA BIMR

June 2022 to 30 October 2025 inclusive

Member	Number of trips	Number of days	Total cost
Connétable Mike Jackson	5	30	£4,023.90
Connétable Andy Jehan	1	4	£324.27
Connétable Kevin Lewis	1	8	£4,670.90

Connétable Karen Shenton-Stone	1	4	£690.23
Connétable Richard Vibert	3	10	£1,612.81
Deputy Carina Alves	2	13	£2,700.59
Deputy Sir Philip Bailhache	1	3	£593.46
Deputy Catherine Curtis	1	4	£753.96
Deputy Tom Coles	5	27	£8,024.38
Deputy Louise Doublet	2	8	£933.94
Deputy Lyndsay Feltham	1	4	£753.96
Deputy Inna Gardiner	3	20	£3,033.52
Deputy Mary Le Hegarat	9	40	£11,136.98
Deputy Hilary Jeune	5	25	£2,628.32
Deputy Raluca Kovacs	3	16	£2,830.49
Deputy Carolyn Labey	3	14	£3,748.67
Deputy Sam Mézec	1	8	£2,757.19
Deputy Helen Miles	2	11	£3,747.74
Deputy Elaine Millar	3	17	£4,960.39
Deputy Beatriz Porée	4	16	£10,468.25
Deputy Lucy Stephenson	2	8	£1,053.29
Deputy Montfort Tadier	2	7	£1,055.55
Deputy Barbara Ward	4	19	£5,886.20
Deputy Rob Ward	3	21	£3,201.16
Deputy Karen Wilson	3	16	£6,691.16

1.7 Deputy M.B. Andrews of St. Helier North of the Minister for Justice and Home Affairs regarding the data collected in relation to knife crime in schools (WQ.397/2025):

Question

Will the Minister provide the data collected in relation to knife crime (possessing a knife or use of a knife) in schools for each of the last 5 years and is it her assessment that these figures indicate the incidence of possession and use of knives in schools is a cause for concern?

Answer

The requested data has been provided below.

The very low numbers support that this is not a significant cause for concern, and islanders can be reassured that Jersey is a safe place to live, and to attend school.

Knife-related incidents at schools, by year

Knife-related incident logs have remained relatively consistent since 2020, with all years having between 5 and 8 incidents – apart from 2022 which appears to be an outlier with 4 incidents.

The below data captures all incident logs from 01/01/2020 to 01/10/2025, in which there is any reference to a knife and the location is recoded as being at a school.

It is important to note that where an ‘incident’ is recorded, this does not equate to a prosecution or conviction.

Indeed, in most cases, the incident was resolved by the school, with words of advice being given to the children involved alongside their parents – this is dependent on the school's policy. One incident from 2024 went to parish hall and a written caution was given.

Year	No. of incidents
2020	7
2021	6
2022	4
2023	8
2024	5
2025	7

Public Order Law Offences

The new Public Order (Jersey) Law 2024 was enacted on 18th October 2024 to include Article 7(1) – " A person who has an offensive weapon in a public place or on **school premises** commits an offence." The introduction of this legislation therefore makes possession of a knife or bladed article on school premises a specific offence under law.

Since its introduction on 18th October 2024, just 2 offences at a school have been recorded under Article 7(1) of the Public Order Law.

The Community Policing Team work closely with Secondary Schools and have delivered educational inputs to a small number of Schools who have reported an issue or concern.

Numbers within the Island remain very low. It is important to note that all incidents are exclusive possession of a knife with no injuries being recorded.

1.8 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding the rationale for the current Civil Service recruitment freeze (WQ. 398/2025):

Question

Will the Chair explain the rationale for the current Civil Service recruitment freeze, in particular why it was extended to include roles at Civil Service Grade 9 rather than redundancies being implemented, and will he state the number of redundancies that have been made since the States Employment Board was reconstituted?

Answer

The rationale for the civil service recruitment freeze was the urgent need to tackle the unsustainable growth, cost and the size of Jersey's public sector. The recruitment freeze was the first step, but as the Fiscal Policy Panel report, published on 3 November, illustrates, further action is needed.

The public sector has grown significantly since 2018 with more than 2,000 posts added by 2025, an increase of a third. The Council of Ministers agreed a recruitment freeze within the public sector senior staff and on the use of external consultants to curb the growth. Frontline services, particularly in health and education, were protected.

The recruitment freeze was extended to include Civil Service Grade 9 in order to improve the effectiveness of this measure. It is estimated that growth in the public sector workforce would have added a further 325 FTE higher by May 2025 and an additional £23m in payroll costs.

There have been 37 redundancies since February 2024, which have been focussed on senior and middle management roles and non-frontline services. This includes 7 senior roles at Tier 1 and Tier 2 level, resulting in an annual saving of almost £1.2m.

1.9 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding scallop catches in Jersey's territorial waters (WQ. 399/2025):

Question

Will the Minister state the total scallop catch (in kilograms) in Jersey's territorial waters for each of the last 20 years (including 2025 year to date) broken down between Jersey and French boats and between hand-dived and dredged scallops; and will he further publish whatever information, if any, the Government holds on the prices achieved for scallops during this period?

Answer

The Marine Resources team produce an [annual report](#) that goes some way to answering the Deputy's question. For the 2024 report, scallop landings and effort from Jersey vessels are presented on page 28 and page 30 respectively and the equivalent landings for French vessels on page 30. French effort data is not yet processed and calculated. Older records can be found in the [2017 annual report](#) that covers to the start of accurate records in 2007. It should be noted that French Catch and activity data have only become available since the implementation of the TCA and the advent of direct reporting to Jersey by French fishing boats, 2022 onwards.

The further detail that the Deputy requests will require some processing by the Marine Resources team, who are currently focused on delivering the Marine Spatial Plan *Research Zone Report* as well as the *Economic Impact Assessment*. These are data heavy tasks and I am reluctant to pull officers from these tasks to process the above request given that it will naturally be addressed in the delivery of these reports. Additionally, the team are working on delivering a Scallop Stock Assessment in partnership with Bangor University early 2026. This will provide the remainder of the data asked for in this request.

Q3 2025 data is still being processed so data would only be available up until the end of June 2025, again this data is normally formatted after year end and presented in the Annual report.

I can say that in the coming 18 months the digitisation, and automation, of the reporting and monitoring processes will allow for a system much closer to a live dashboard that will allow closer monitoring and management of the fishery when combined with a full stock assessments and catch advice.

1.10 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding the creation of a playing field for First Tower School (WQ.400/2025):

Question

Further to the adoption of the Government Plan 2022-2025, as amended, will the Minister advise what progress, if any, has been made towards the creation of a playing field for First Tower School and will he further advise the timeline for its completion?

Answer

Further to the adoption of the Government Plan 2022–2025, I can confirm that the Department for Infrastructure & Environment, and the Department for Children, Young People, Education and Skills (CYPES) have been working collaboratively to secure a suitable site near the school.

Jersey Property Holdings (“JPH”) have held discussions with the owner of the preferred site regarding potential acquisition; however, these discussions are currently stalled due to personal reasons on the part of the landowner. The Government remains committed to pursuing a resolution and will seek to re-engage with the owner once it is appropriate to do so.

In the meantime, initial feasibility and site assessment work has been undertaken to evaluate land suitability, accessibility, and environmental considerations. Once an agreement is in place with the landowner, further engagement with relevant stakeholders, including the school and local community, will continue to ensure that the proposed development meets both educational and community needs.

I will continue to keep Members updated as the project progresses and as key milestones are reached.

1.11 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding progress on the adoption of ‘Higher Education Funding’, as amended (P.12/2024) (WQ. 401/2025):

Question

Further to the adoption of ‘Higher Education Funding’, as amended ([P.12/2024 \(Amd.\)](#)), will the Minister provide an update on progress against each part of the proposition, to include but not limited to specific milestones delivered to date, work currently underway and the timeline for delivery?

Answer

a) agree to explore new additional funding options for distance learning courses

From September 2025, tuition fee and maintenance grants for distance learning students are aligned with those for campus-based students. The maximum grant available and the income thresholds that apply to means-tested grant awards are now the same.

Grants for distance learning are now calculated based on credits, enabling students to take full advantage of the flexibility offered by distance learning. They can pause or resume studies, switch between part-time and full-time modes, and receive funding adjusted to their course intensity and financial circumstances throughout their learning journey.

Students can now also exit a programme after completing modules without being required to repay part of their grant.

These changes create better conditions for students to move between distance and campus-based learning if their circumstances change or if they find one approach better suited to their needs. The flexibility to adjust financial support throughout their studies supports students to apply for recognition of prior learning, carry credit between modes of study and continue their learning without disruption.

- b) review the classification criteria for an independent student, taking into account the criteria elsewhere in the British Isles, and consider the implementation of changes that would deliver enhanced targeted support**

This work is ongoing. I expect to announce a change to the definition of an independent student by the end of the year.

- c) consider the inclusion of ‘related subjects’ as eligible for a clinical component grant, if appropriate;**
- d) work with the Minister for Health and Social Services to review the scope for the clinical course allowance for ‘related subjects’, including consideration of the following areas, if appropriate –**
 - I. Paramedic science;**
 - II. Pharmacy;**
 - III. Occupational Therapy;**
 - IV. Podiatry; and**
 - V. Physiotherapy/Chiropractic/Osteopathy;**

Review Undertaken

A review was carried out to identify factors contributing to higher costs for certain subjects. This found that additional costs are not solely due to clinical placements. Key factors include:

- **Course duration:** Some courses extend beyond the standard three years.
- **Term length:** While a typical term is around 30 weeks, some courses run for considerably longer. Even within the same subject, term length varies between providers. For example, the term duration of nursing programmes reviewed ranged from 40 to 46 weeks in an academic year.

- **Placements:** Costs vary significantly depending on location and hours. Some placements require extensive travel or overnight accommodation, while others are accessible by public transport and operate during standard office hours. Placement duration can range from a few days to around half the academic year.

Issues Identified

- A fixed list of eligible courses is inflexible. The ability to reflect ongoing changes that arise from the evolution of course structures require legislative amendments which take time to implement.
- Additional costs vary widely. Applying a flat rate grant does not adequately reflect actual costs. For some students, support may be insufficient; for others, it may exceed costs and not represent good use of public funds.
- Universities differ in the level of detail provided about course structure. Combined with variation across providers, this makes it difficult to reliably identify which subjects incur extra costs or to quantify those costs.
- A formula is needed to tailor grants to factors such as course length, term duration, placement requirements, and associated travel or accommodation costs.
- These elements are not currently captured in the student finance application process, making it extremely difficult to model financial implications or ensure proportionate and affordable use of public money.

Action Taken

The student finance system has been recalibrated to capture more data that can inform future policy considerations:

- Students now confirm if their course exceeds three years and state the number of mandatory additional years. This distinguishes mandatory extended courses from optional additions, such as a placement year abroad.
- Applications now capture whether a course includes a mandatory practical placement of at least eight hours. Analysis of this data can then identify subjects where practical placements are required.
- An opt-in clause has been introduced in the application process to support future research. This allows students to be contacted about their experiences to inform policy development.
- These changes create the foundation for more reliably informed analysis and policy development in the future.

Joint Action on Skills Shortages

The comments accompanying [P.12/2024](#) referenced “*The importance of these subsidies to students in related subjects cannot be overstated as we struggle to recruit and retain home-grown skills*”

In response, additional engagement has taken place with public sector colleagues responsible for training and recruitment. Actions include:

- Presentations on policy development in financial support for education and training.
- Explaining available financial support options.

- Creating a mechanism for colleagues to share insights on recruitment and training challenges to inform policy priorities.
- Outlining the role of Skills Jersey in promoting public sector initiatives such as internships and apprenticeships through careers events, careers advice and targeted recruitment of residents studying relevant subjects.

The Jersey Bursary eligibility criteria was expanded after discussions with colleagues in Social Care highlighted that staff could not access upskilling opportunities due to the previous requirement to study full time.

e) update thresholds for means tested funding in line with inflation and relative earnings in a sustainable and affordable way, subject to the necessary funding being allocated;

From September 2025:

- Income thresholds were increased by 5.2%
- The maintenance grant and the clinical component grant were increased by 2.5%
- In addition, the tuition fee grant was increased by 3.1% in response to the increase in university fee caps in England and Wales.

f) research and consider introducing a sliding scale for the amount of tuition fees that may be awarded;

After reviewing previous work on this topic and consideration of the benefits and disbenefits, a decision was made not to introduce a sliding scale for calculating tuition fee grants.

Affordability is shaped by local economic conditions. A focus on income thresholds was considered a better way to achieve the original aim of the proposition to make higher education more affordable. Income thresholds are already used to calculate entitlements for other grants including maintenance, clinical and disabled student allowance.

As a result, thresholds were reviewed and adjusted in line with local wage inflation. Increasing these thresholds raises entitlement for multiple grants and allowances, providing a higher level of overall support.

g) review the threshold for relevant assets detailed within Article 12A of the Education (Grants and Allowances) (Jersey) Order 2018, and to report back to the Assembly on the findings and recommendations of such review no later than December 2025

The original proposition suggested raising the asset threshold specifically where rental income from an asset that is a property is the household's only source of income. I have reviewed the threshold and do not intend to introduce changes. The reasons for this decision are as follows:

- Raising the threshold would undermine the policy intent of tailoring financial support to individual circumstances. It could result in two students with identical incomes receiving the same grant, even though one household owns an asset worth up to £500,000.
 - There may be circumstances, such as a recent inheritance, where the value of assets is unexpectedly increased but the household has not yet been able to realise that value, for example by securing a sale. In these cases, the asset value may not accurately reflect a material change in financial circumstances during the assessment period. Articles 4(6) and 6(3) allow all or part of income to be disregarded where it would be unfair not to, this includes situations where an asset has been inherited but its value has not yet been realised.
- h) work with the Minister for Treasury and Resources to assess the long-term financial viability of any student loan scheme for Island students and undertake a consultation if appropriate.**

I have reviewed the previous scoping work undertaken to explore the long-term viability of student loans in Jersey. I do not intend to reintroduce student loans.

I outlined my concerns about student loans in my previous comments within the amended proposition (P.12/2024 (Amd.)). My review of earlier work on this topic did not identify any substantive mitigations that address those concerns. These are summarised below:

- They place a significant long-term debt burden on the public purse, with high risk of unpaid loans.
- They are costly to administer, with funds better directed toward a more generous and targeted grant system.
- Practical challenges in enforcing repayment while students reside outside of Jersey. This may discourage graduates from returning to Jersey.
- Financial strain on young people who accumulate significant debt can have serious consequences. It may affect their mental health and overall well-being and limit their ability to access credit for important life milestones, such as buying a home.

1.12 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding the cost of fully repairing the Victoria Marine Lake (WQ. 402/2025):

Question

Will the Minister advise whether any assessment has been carried out to establish the cost of fully repairing the Victoria Marine Lake and, if so, what the estimated cost is; and if not, why not?

Answer

An assessment to establish the cost of fully repairing the Victoria Marine Lake was carried out in 2024, and the estimated costs were subsequently updated in 2025 to account for inflation. These figures are commercially sensitive. However, since the listing of the lake wall, a new assessment is

now required. The listing status changes both the nature and scope of the works, as heritage planning requirements mean that the sprayed concrete layer must be removed rather than overlaid. This will result in a revised specification and therefore new costings.

1.13 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the Planning Application (P/2025/0774) for a hotel at Strive Jersey (WQ.403/2025):

Question

In relation to Planning Application [P/2025/0774](#), regarding the construction of a hotel, conference centre, spa rooms, swimming pool and associated parking at Strive Jersey, will the Minister state –

- (a) how many meetings he or his officers have had with representatives of Strive;
- (b) how many e-mails, calls, or other communications he or his officers have had with representatives of Strive; and
- (c) whether he or his Assistant Minister have had any communications with the Minister for the Environment in relation to this planning application?

Answer

- (a) I met with the managing director of Strive on 6th June to discuss his forthcoming planning application and the wider visitor economy sector. Prior to this the managing director had met with the Sector Lead for the Visitor Economy on 8th May. Both meetings were in advance of the planning application being submitted.
- (b) As I do with many local stakeholders and businesses, I maintain irregular informal correspondence with Strive on a number of matters and it is not possible to quantify these discussions which overlap multiple topics. Correspondence by the relevant sector officers with the managing director relating to Planning Application [P/2025/0774](#) has been limited to setting up the above two meetings.

Jersey Business notified my department in July that they would be submitting a letter of support and my officers have also been approached in the usual way by the Regulation Directorate for their comments on the application.

- (c) Neither myself, my Assistant Ministers, nor my officers have discussed the above planning application with the Minister for the Environment.

1.14 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the sound and lighting system at Jersey Opera House (WQ.404/2025):

Question

Further to the publication of the [Lighting Designer Report](#), will the Minister –

- (a) advise what steps, if any, have been taken to alter the sound and lighting system at Jersey Opera House;

- (b) advise what additional funds, if any, have either been provided by the Government or raised by the Opera House for this change; and
- (c) provide the timeline for the implementation of the report's recommendations?

Answer

- (a) As the operator of the venue, Jersey Opera House Limited (JOHL) Board and its interim CEO are working together to improve the sound and lighting systems. JOHL have implemented the 'show critical' tech upgrades required for reopening and are now considering further upgrades to the sound and lighting systems to follow in 2026.
- (b) No additional funds beyond the operating revenue grant have been provided by the Government for sound and lighting upgrades. Jersey Opera House Limited are using funds which were donated for the specific purpose of upgrading the sound and lighting system from a private individual.
- (c) The timeline for the implementation is at the discretion of the JOHL Board who are finalising a delivery plan for implementation during 2026.

1.15 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the amount of time from the availability timetable at Strive that has been utilised since 2017 (WQ.405/2025):

Question

Further to Written Questions [348/2025](#), [380/2025](#) and [381/2025](#) regarding the [Planning Obligation Agreement](#) (POA) with the Jersey Sports Academy (Strive), and in relation to the Community Availability table included in the POA, will the Minister advise the total number of hours (or slots) per year, the total number of sessions per year and the total hours per year that have been utilised since 2021?

Answer

In the SLA, the Community Availability table uses assumptions of fixed class sizes (30 per class) and fixed numbers of community (24)/sports users (24) to derive the 'Sessions per year' figures.

The *Sessions per Year* and *Total Hours* columns within the SLA were therefore indicative of what could be achieved from the hours that the operator makes the facility available (4044 in the SLA as representative of the facility's planned opening hours at the time of the signing of the SLA).

Any variance to current use comes from the fact that usage will be very different to what was envisaged 9 years ago, and a school, for example, may choose to bring far fewer pupils to the Academy than the 30 the table refers to, therefore we believe that the key metric against which the Owner should be measured is the hours made available for any of these groups to book.

For the purpose of responding to the WQ in a constructive manner officers have provided figures (taken from those provided by the Owner) of hours used and the sessions data has been provided to the extent that it is available (individual slots per week X group size X number of weeks - as per the SLA calculation).

Sessions data cannot be provided for all groups mentioned in the SLA, for example, ‘community groups’ are privately booking the facility (at a discounted rate) and user numbers per session are not recorded as part of the booking. There was also no requirement for a record of the number of Jersey Reds players who attended in each of their slots and this varied each time.

It is clear that a significant amount has changed since planning approval was given in 2016. A review and refresh of the SLA and its obligations is indeed overdue and would help to ensure that other departments of Government are also aware and make best use of the facility.

It is key that any new agreement reflects the hours available for use and there is a review of the benefit or otherwise of including any fixed usage numbers. There has been investment into both school and other public and private sports facilities since 2021 which has seen demand change in some areas. The key remaining requirement is that the facility remains available to be used, year-round, for free by schools, and at a discounted rate by the community and sports.

Information as provided by the Owner:

	2021	2022	2023	2024
Total hours per year: The facility is open for 96 hours per week to be booked by schools, community and sports.				
Total (minimum) number of sessions that took place per year (calculated as per SLA Users x Hours used)	4515	16888	19118	18089
Total (minimum) hours utilised	979	3039	2853*	3173
*Jersey Reds usage ceased mid- year				

1.16 Deputy K.M. Wilson of St. Clement of the Minister for External Relations regarding the current state of Jersey’s engagement with the European Union and the Organisation for Economic Co-operation and Development (WQ.406/2025):

Question

Will the Minister provide an update in respect of the current state of Jersey’s engagement with the EU (European Union) and the OECD (Organisation for Economic Co-operation and Development), particularly in light of evolving global tax cooperation frameworks and the minimum tax directive?”

Answer

The formal relationship, from 1973 until 2020, between the Islands and the European Union was governed by Protocol 3 of the United Kingdom’s Treaty of Accession. Under this arrangement, the Islands were part of the EU Customs Union and effectively within the Single Market for trade in goods, while remaining outside the European Union in all other respects.

Following the United Kingdom’s withdrawal from the European Union, the Islands’ formal relationship with the EU is now defined by the EU–UK Trade and Cooperation Agreement (TCA). The TCA applies to the Islands to a more limited extent than to the United Kingdom and covers:

- (i) trade in goods, including customs tariffs, procedures, and certain regulatory standards for agricultural and manufactured products; and
- (ii) access to fisheries resources within the territorial waters of each Bailiwick.

Outside the scope of the TCA, the Islands are treated as third countries and are not part of the European Economic Area.

The Channel Islands Brussels Office (CIBO) acts as the joint representation of the Governments of Guernsey and Jersey to the European Union. CIBO leads and coordinates engagement with EU institutions through regular contact with the Permanent Representations of Member States, relevant departments of the European Commission, and, where appropriate, Members of the European Parliament. This engagement is supported by annual visits by senior officials and twice-yearly joint ministerial visits.

EU

Jersey fully supports the principles of transparency and the prevention of base erosion and profit shifting, which are central to the ongoing tax initiatives led by the G20, the OECD, and the European Union.

Jersey is one of more than 100 third-country jurisdictions assessed under the EU's non-cooperative jurisdictions (NCJ) listing process, which is overseen by the EU Code of Conduct Group (CoCG). Jersey was first recognised as a cooperative jurisdiction and placed on the EU "white list" in March 2019. This position has been reaffirmed every six months since. Jersey attaches great importance to maintaining this status and to continuing to be a responsible and cooperative neighbour to the EU on tax matters.

With regard to the Pillar Two Global Minimum Tax initiative, EU Member States have implemented the framework through an EU Directive. All EU institutions and Member States agree that discussions on Pillar Two should take place within the OECD, and they do not act collectively as a bloc in that forum.

OECD

Jersey plays an active and constructive role in the OECD's Inclusive Framework on Base Erosion and Profit Shifting (BEPS). Jersey sits on the Steering Group of the Inclusive Framework, which currently meets frequently to provide strategic oversight of the Pillar Two Global Minimum Tax project. Jersey also participates in, and contributes to, a range of OECD working parties that address the technical detail of the Pillar Two initiative.

Jersey is an active member of the OECD Global Forum and currently chairs the OECD's Ad Hoc Group responsible for monitoring the global implementation and peer review of the Country-by-Country Reporting (CbCR) standard under BEPS Action 13.

As a member of the Automatic Exchange of Information Peer Review Group (APRG), Jersey contributes to advancing the Global Forum's agenda by reviewing draft reports for recently assessed jurisdictions and providing technical feedback on the interpretation and application of the Standard. Jersey has also demonstrated its commitment to this process and to wider tax transparency by providing two assessors who have served as members of expert teams evaluating the implementation of the Automatic Exchange of Information (AEOI) in other jurisdictions.

In addition, Jersey is a member of the OECD's Crypto-Asset Reporting Framework (CARF) Working Group and has actively contributed to discussions over the past 18 months to shape and support implementation of the framework, which is due to come into effect in Jersey from 1 January 2026.

Jersey also engages positively with the OECD Forum on Harmful Tax Practices, primarily in relation to its economic substance regime.

1.17 Deputy Sir P.M. Bailhache of St. Clement of the Chair of Privileges and Procedures Committee regarding the budget allocation to the Judicial Greffe for the 2026 Election (WQ.407/2025):

Question

In relation to the £269,000 allocated to the Judicial Greffe for the 2026 Election as set out in the [Proposed Annex - Budget 2026-2029](#) (p. 66), [P.17/2025](#) indicated that PPC considered that there would be a "slight increase" in the administrative cost of holding the election on a Sunday, however, as that extra cost was not addressed during the debate on the proposition on [1st April 2025](#) will the Chair advise how much of the cost is attributable to the move to a Sunday election and state whether, in his consideration, that increase is "slight"?

Answer

Whilst PPC is not able to comment directly on the sum requested by the Judicial Greffe, as that falls outside of our remit, we can advise that the majority of the £269,000 allocation is intended to meet the usual costs of administering the elections, most notably the resourcing costs for postal and pre-poll voting. We understand that only a small part of the allocation will be used to meet any Judicial Greffe staff overtime costs which might be incurred as a consequence of having to work on Sunday 7th June 2026 and over that weekend in preparation for the poll. It should be noted that even before the decision to move to a Sunday election, it was always anticipated that the resourcing costs for postal voting would be higher than in previous elections, to reflect an expected increase in the popularity of that method of voting.

In respect of additional costs, the decision to hold elections on a Sunday will likely place a burden on the Parish authorities in relation to the payment of overtime for any of their staff required to work over the weekend.

1.18 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding the total cost of developing the new hospital (WQ.408/2025):

Question

Will the Minister advise the total cost of developing the new hospital from 2012 to present?

Answer

A breakdown of the expenditure per annum on initiatives to deliver a new hospital for Jersey, and latterly, New Healthcare Facilities, can be found below. It is important to note that each project has built upon the previous one, reusing information and enabling faster progress toward delivery with every iteration.

Initiative	Year	Expenditure (£m)	Notes
Hospital project mandated under P.82/2012	2012	0.0	<ul style="list-style-type: none"> Progressed to site selection/feasibility before project closure.
	2013	0.0	
	2014	1.4	
	2015	3.2	
	2016	4.7	
Future Hospital Project	2017	15.0	<ul style="list-style-type: none"> Progressed to RIBA2 Concept Design before project closure/unsuccessful outline planning application. Includes £0.9m of site acquisition and associated costs, e.g. stamp duty.
	2018	16.6	
	2019	6.0	
Our Hospital Project	2019	0.5	<ul style="list-style-type: none"> Progressed to RIBA3 Developed Design before project closure and achieved planning consent. Includes £25m of site acquisition and associated costs, e.g. stamp duty. Includes £9.6m investment in now operational facilities – Enid Quenault Health and Wellbeing Centre.
	2020	10.6	
	2021	52.2	
	2022	20.5	
New Healthcare facilities Programme	2023	38.4	<ul style="list-style-type: none"> Overdale project completing RIBA2 Concept Design stage. Includes £17.6m of site acquisition and associated costs, e.g. stamp duty. Includes £6.7m investment in now operational facilities – Enid Quenault Health and Wellbeing Centre. Includes £0.5m demolition at Overdale site – assets under construction.
	2024	20.2	

The accounts for 2025 are part year and hence unaudited. Expenditure can be provided once the year is complete and accounts have been audited. The spend to September was £14.9 million.

1.19 Deputy M.B. Andrews of St. Helier North of the Minister for Education and Lifelong Learning regarding the number of consultants and agency staff employed in his department (WQ.409/2025):

Question

Will the Minister state the current number of consultants and agency staff employed in his department, and will he advise whether this number has increased, decreased, or remained the same since he was appointed?

Answer

The department currently engages two consultants, each working a limited number of days over a defined period, and two contingent labour staff – one of whom is contracted until December 2025, and the other until March 2026 (front-line).

Overall figures for agency staff recruitment over the past two academic years follow, most recently updated at the end of September. These show a reduction in 2024/25 from the previous academic year.

Agency Recruited	2023/2024	2024/2025
Teachers/ Support Staff/ Admin	21	16

Spending in the first 10 months of 2025 on agency staff of all types, has reduced by 42% compared with the same period of 2024.

1.20 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the Expenditure Growth Allocation of £52,703,000 for 2026 (WQ.410/2025):

Question

In relation to the Expenditure Growth Allocation of £52,703,000 for 2026 as set out in the [Proposed Budget \(Government Plan\) 2026–2029](#) (p.44), will the Chief Minister advise how this growth increase can be justified given the stated intention of the Government to reduce public spending, and the employment freeze introduced by the States Employment Board; and will he explain how these factors were taken into account when the Council of Ministers agreed the allocation?

Answer

The Council of Ministers acknowledges the importance of fiscal discipline, as reflected in the Common Strategic Policy’s commitment to curbing public sector growth and prioritising essential services. In line with this, several measures have been implemented, including the recruitment freeze introduced by the States Employment Board in August 2024 and restrictions on consultancy spending.

These actions have already yielded significant savings. The recruitment freeze prevented an estimated increase of 325 full-time equivalent (FTE) employees by May 2025, and approximately 1,000 vacancies were removed from the system. These actions are forecasted to avoid up to £23 million in annual costs. Additionally, consultancy restrictions delivered £29 million in savings in 2024 compared to the previous year, with further reductions expected in 2025.

Notwithstanding these savings, the Expenditure Growth Allocation of £52.7 million for 2026 is justified by the need to invest in essential frontline services and respond to demographic and front-line service pressures. The allocation includes:

Expenditure Growth Allocations

£'000	2026	2027	2028	2029
	Estimate	Estimate	Estimate	Estimate
Investment in competitiveness	7,000	6,000	8,000	10,000
Nursery 2-3-year-olds	3,000	3,000	1,800	1,900
Teachers' terms and conditions	1,800	1,800	1,800	1,800
Children's service improvement programme	7,615	7,953	8,623	8,342
Supporting islanders and strengthening communities	1,800	1,800	1,800	1,600
Assisted Dying	525	727	688	718
Digital health	8,000	8,000	8,000	8,000
Preventative health	4,000	4,000	4,000	4,000
Health deficit	15,600	15,600	15,600	15,600
NHF - Facilities Management & Clinical Costs	-	-	-	10,500
Emergency Services Control Room	300	460	460	460
Fire and Rescue Service Workforce	413	1,306	1,306	1,306
Vaping Tax	146	100	80	82
Pillar 2 Tax Team	1,748	2,998	2,680	2,685
Non-Ministerial requests	756	333	268	310
Total	52,703	54,077	55,105	67,303

Table 11: Revenue Growth Allocations

The Council of Ministers carefully considered the employment freeze and broader cost-saving measures when agreeing the allocations. These savings helped create room for targeted growth in priority areas without undermining the overall goal of curbing public expenditure. The £52.7 million figure reflects a reprioritisation rather than unchecked growth, ensuring that resources are directed to areas of greatest need while maintaining a balanced budget.

The Council of Ministers remains committed to maintaining sustainable public finances, ensuring that future spending is carefully managed and aligned with income and long-term economic stability.

1.21 Deputy R.S. Kovacs of St. Saviour of the Chair of the Privileges and Procedures Committee regarding an update on the implementation of the Automatic Voter Registration project (WQ.411/2025):

Question

Will the Chair provide an update on the implementation of the Automatic Voter Registration (AVR) project, including –

- why Parishes have posted out forms to their residents this year to register to vote;
- whether AVR will be operational in time for the June 2026 election, and if not, why not; and
- why the project budget, as set out in the [Proposed Budget \(Government Plan\) 2026–2029](#) (p. 66), has been revised down from a previous total of £974,000 to a “Total Project Approval” of £747,000?

Answer

Members will recall that when the draft legislation associated with this project was brought for debate on 13th May this year, in order that it could be adopted outside of the 12 months preceding the next elections, the Assembly decided to refer the matter back to PPC. The Committee then lodged an amendment to provide election candidates access to the new register for canvassing purposes via a separate ‘candidates list’. The consequence of delaying the debate was that, once approved on 24th June 2026, the Draft Elections (Electoral Registers) (Jersey) Amendment Law 2025 was not able to receive Privy Council approval until late last month.

- (a) Although the States had approved the legislative changes, the existing legislation requiring Parish Authorities to send out an annual statement was still in force last month, and the eligibility criteria of 2 years residency was also still applicable at that time. The Parishes were therefore required to comply with the Law and send out the statements. Islanders are encouraged to return their forms, but there will be information published early in the New Year explaining all of the recent changes to the Elections legislation, outlining how the new system will work and highlighting how voters will be able to check their registration status online;
- (b) the Automatic Voter Registration (AVR) project is on track to deliver a new electoral register early in 2026, well in advance of the June elections; and
- (c) the project has been delivered well within the Budget envelope anticipated and therefore some funds from the underspend in 2024, have been returned to the Treasury.

1.22 Deputy S.M. Ahier of St. Helier North of the Minister for Treasury and Resources regarding funds disbursed under the IFC2 Project (WQ.412/2025):

Question

Further to the [Jersey Development Company Limited: Annual Report and Accounts 2019 \(R84/2020\)](#), published on 18th August 2022, and the statement by the Managing Director that they envisaged “IFC2 being delivered over the next 5 years” (p.11), will the Minister advise why the project has not yet commenced and detail the reasons for the delay?

Answer

The States of Jersey Development Company’s (SoJDC) 2019 Annual Report and Accounts were signed off in May 2020, shortly after the start of the global COVID-19 pandemic. At that time JDC had successfully completed, let and sold IFC 1 and IFC 5 and market demand for Grade A office space was encouraging.

The statement on page 11 of the report, under the heading “Future” noted that:

“This schedule was developed pre-COVID-19 and, subject to how the pandemic unfolds, as well as advancing development on KOS (Key Open Space) 1, 2 and 3, the Company will continue to promote and advance the IFC and envisages IFC 6 and IFC 2 being delivered over the next 5 years.”

Since then, SoJDC has delivered IFC 6 which was completed in 2023 and is now fully let. The successful delivery of IFC 6 contributed to the release of older office stock, which is now being refurbished and re-let, offering businesses a choice between a new-build office or a refurbished office.

In relation to IFC 2, the project has received full planning and building consent. Construction is, however, contingent on securing an anchor tenant to occupy of at least 25% (25,000 sq.ft.).

SoJDC has appointed D2RE as its sole letting agent for the IFC development and they continue to engage with key prospective tenants in the local market. To date D2RE have successfully secured lettings for SoJDC with 15 businesses covering over 200,000 sq.ft. of accommodation in IFC 1, IFC 5 and IFC 6.

Since 2023, SoJDC has had interest for IFC 2 and has provided proposals to two interested parties. In both cases, the prospective tenants decided to remain in their existing premises or relocate to a refurbished office. In addition, SoJDC has anecdotally been made aware of three major businesses having recently renewed their leases to remain within their existing premises and are carrying out extensive refurbishment of those premises.

Relocation decisions are driven by a range of factors including cost, operational efficiency and timing. While new-build offices offer significant benefits, businesses must weigh these against the financial and logistical implications of moving.

SoJDC continues to promote IFC2 and remains ready to proceed once a suitable anchor tenant is secured. The delivery of IFC2 remains a priority. It is also worth noting that IFC 6 remains the most recent new build office development in the local market.

1.23 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding funds disbursed under the Marine Support Scheme (WQ.413/2025):

Question

Will the Minister provide data on funds disbursed under the Marine Support Scheme during 2024 and 2025 to date, broken down by metier and separating support for scallop diving from scallop dredging?

Answer

The total fund delivered under the Marine Support Scheme to operators of fishing vessels in 2024 was £302,112.

The total fund delivered under the Marine Support Scheme to operators of fishing vessels in 2025 (to date) is £339,830.

The funds dispersed under the scheme are delivered within a framework which rewards promotion of fishing vessel safety (factored by safety certification, size of vessel and days at sea), employment and training, professional and vocational qualifications, certified food standards and food provenance.

The scheme does not distinguish between fishing metiers and payments are not currently assigned to any particular metier, so it is not possible to provide a breakdown in this regard.

1.24 Deputy J. Renouf of St. Brelade of the Minister for Justice and Home Affairs regarding the number of serious case reviews and rapid reviews relating to safeguarding issues (WQ.414/2025):

Question

Will the Minister provide the total number of serious case reviews and rapid reviews relating to safeguarding issues for adults from 2015 to date?

Answer

	Adult
Serious care reviews	12
Rapid reviews	9

1.25 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding commercial outlets at Jersey Airport accepting cash payments (WQ.415/2025):

Question

Will the Minister advise whether any commercial outlets at Jersey Airport accept cash payments, and if so, which ones, and if none, will he advise whether it is the Ports of Jersey policy for the Airport to be cash free, or whether each business operator can decide if it wishes to accept cash?

Answer

Each business operator at the airport determines individually whether it wishes to accept cash payments.

World Duty Free at Jersey Airport accepts cash payments.

JP Restaurants, which operates the Food & Beverage concession does not accept cash. When JP Restaurants commenced operating at Jersey Airport in 2020, following the collapse of the existing operator (Casual Dining Group) during the coronavirus pandemic, cash was no longer accepted in order to reduce contact and minimising the infection risk for islanders and visitors.

1.26 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the Elizabeth Terminal Café concession (WQ.416/2025):

Question

In relation to the Elizabeth Terminal Café concession, will the Minister advise—

- (a) how many businesses applied to operate the venue;

- (b) whether the café is accessible to non-travelling members of the public, and if not, why not, providing details of who made this decision; and
- (c) whether the café accepts cash and if not, advise whether it is the Ports of Jersey or the café operator's decision not to accept cash?

Answer

- a) Following the collapse of the existing Food & Beverage operator (Casual Dining Group) during the pandemic in 2020, Ports of Jersey (PoJ) ran a tender process for a provider of Food & Beverage service at Elizabeth Terminal, however no bids were received.

As JP Restaurants had already secured the airport catering tender, PoJ invited them to operate the site.

The current agreement with JP Restaurants is due to expire in 12 months. Earlier in 2025 PoJ reopened the tender process which again did not receive any submissions. PoJ are now exploring alternative options for the future operation of the site.

- b) To improve the passenger experience for the large number of foot passengers who use Elizabeth Terminal, a number of changes were made to the layout ahead of Summer 2025.

The changes involved redesigning the security process and the land-side / sea-side border (after security) to reduce queues and to enable passengers to pass through security straight after check-in.

The space available sea-side was also increased, opening the Shipyard restaurant and creating a new outdoor space for passengers to use whilst waiting to board ferries, as well as opening a children's play area and new toilets for foot passengers.

As a result of the changes, there were only Vending facilities available within the terminal for land-side users of the terminal.

PoJ is currently exploring alternative options for the future operations which include the land-side catering offer.

Previous data indicated that car passengers generally remained in their vehicles and did not make use of the landside facilities. Over the Summer PoJ trialled a coffee and donut cart seaside within the car lanes which proved successful in engaging passengers. In the new year PoJ intends to again provide the offer in the car lanes for the summer sailings and will invite additional local businesses to participate.

1.27 Deputy T.A. Coles of St. Helier South of the Minister for Infrastructure regarding the new mobile speed camera and the Island's highway legislation (WQ.417/2025):

Question

Will the Minister advise what consultation, if any, has taken place between his officers and the States of Jersey Police (SOJP) to ensure that the new mobile speed camera due to be deployed soon by the SOJP complies with the Island's highway legislation?

Answers

The answer to this question had not been received by the Greffier by the 12pm deadline, in accordance with Standing Order 12 (3).

1.28 Deputy T.A. Coles of St. Helier South of the Minister for Justice and Home Affairs regarding the new mobile speed camera and the Road Traffic (Jersey) Law 1956 (WQ.418/2025):

Question

Will the Minister detail how the new mobile speed camera due to be deployed by the States of Jersey Police complies with the [Road Traffic \(Jersey\) Law 1956](#)?

Answer

The States of Jersey Police have consulted with the Law Officers department and are satisfied that their planned deployment of speed detection equipment will comply with existing legislation.

1.29 Deputy J. Renouf of St. Brelade of the Minister for Children and Families regarding the number of serious case reviews and rapid reviews relating to safeguarding issues (WQ.419/2025):

Question

Will the Minister provide the total number of serious case reviews and rapid reviews relating to safeguarding issues for children from 2015 to date?

Answer

	Children
Serious care reviews	11
Rapid reviews	7

1.30 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding pilot projects instigated to improve early years outcomes for children (WQ.420/2025):

Question

In relation to the current pilot projects instigated to improve early years outcomes for children, which include schemes for wrap around care provision at school nurseries, will the Minister –

- (a) advise the one-off capital costs to establish each pilot project;
- (b) detail the number of staff employed at each scheme and their grade;
- (c) provide a breakdown of the staff and non-staff costs;
- (d) advise whether funds were transferred directly from CYPES to operators or whether any third party was involved, and if any such third party was involved, provide their details;
- (e) state the number of children that have benefitted per term and the number of hours provided; and
- (f) explain how the outcomes of the projects are being assessed, and his own evaluation of each project so far?

Answer

Three substantive pilots were run during academic year 24/25, all initiated during the autumn term. The response is for this period and does not include any costs or activity in the 25/26 academic year.

1. Play and learn at D’Auvergne, provided by the Jersey Childcare Trust (JCCT)

a.	<p>£19,231 paid to school for resources used in the provision. £18,430 paid to the provider for set up, recruitment and management actions.</p> <p>This represents non-recurring (one-off) revenue spend.</p>
b.	<p>JCCT pay staff in line with ‘Government of Jersey – Ambulance, Residential Childcare Officers, Youth Service, Family Support Workers’ pay scale. Support workers and nursery staff are on Band C, our Senior Support Workers and Senior Nursery Practitioner are on Band D.</p> <p>1 nursery manager 1 senior nursery practitioner (band D) 3 nursery practitioners (band C)</p> <p>All staff are on part time, term time contracts</p>
c.	<p>£19,231 (resources - one off, for the school) £18,430 (set up/management- one off) £107,294 (workforce - ongoing) £9,963 (consumables and other resources)</p>
d.	<p>Set up /management and workforce paid to JCCT to establish the pilot provision Ongoing costs paid to JCCT quarterly on production of an invoice.</p>
e.	<p>The core offer is of 15 hours per week, term time with 12 hours of childcare and 3 hours of stay and play sessions with families.</p> <p>End autumn term 2024, 12 children enrolled [1080 hours of nursery care and education delivered, 6 ‘stay and play’ sessions for families (216 hours)].</p> <p>Spring term 2025, 15 children enrolled. [1872 hours of nursery care and education delivered, 12 ‘stay and play’ sessions for families (540 hours)].</p> <p>Summer term 2025, 16 children enrolled (represents full capacity). [5460 hours of nursery care and education delivered, 20 ‘stay and play’ sessions for families delivered (960 hours)]</p>

f.	<p>The JCCT report to the Contracts and Partnership Manager quarterly, using quantitative and qualitative data. The reporting methodology, to the Trust Board and other key stakeholders, uses <i>Outcomes Based Accountability</i>. The JCCT measure what has been done, how well it was done and what difference it has made for children and families.</p> <p><i>Play and Learn</i> has made a significant, positive impact on the lives and development of children and families.</p> <p>Children’s progress is monitored using an online tool (Tapestry) and has shown for the 2024/25 cohort;</p> <p>87% showed significant progress, 13% some progress in 'Relationships', 80% showed significant progress, 20% some progress in Physical Skills. 60% showed significant progress, 40% some progress in Attention and Understanding, 47% showed significant progress, 53% showed some progress in Language and Communication</p> <p>Parents/Carers are surveyed at the start of their nursery journey and at the end, enabling assessment of their own wellbeing as well as their relationship with their child. Qualitative feedback is also received from other stakeholders:</p> <p>"I have noticed a massive change in his language also in sharing, playing behaviour, he is a completely different boy from where he started with barely no speech, didn't interact with others, no sharing, shy and crying. I am extremely grateful to everyone at JCCT nursery because I know for a fact that my son wouldn't be where he is now without being in a nursery environment." Parent</p> <p>"he improve everything, behaviour, playtime, speaking" Parent</p> <p>‘We hear such great things about this nursery, it’s lovely to see it in action, and wish that all nurseries were as good as this’</p> <p>‘It’s amazing to see how in tune your team are, they are all signing, and using the total communication approach its wonderful’ Speech and Language Therapist</p>
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2. Extended nursery hours and holiday provision – Plat Douet

a.	<p>£13,439 - building/decorating £25,650 - resources</p> <p>This represents non-recurring (one-off) revenue spend across both pilots</p>
b.	<p>There is a pool of staff who work at this provision reflecting the extended period of 45 weeks a year (February half-term, 1 week at Easter, May half-term, 3 weeks in Summer)</p> <p>During the 2024-25 academic year the following staff worked in the provision:</p> <ul style="list-style-type: none"> • 4 class teachers • 3 x Grade 8 Learning Support Assistants (LSA) (all DSL trained) • 1 x Grade 7 LSA • 1 x Grade 6 • 3 x Grade 5
c.	<p>Staff £23,688 (school day) Staff £26,580 (holiday)</p>

d.	All internal
e.	<p>Parental survey responses indicated that 8am – 4pm are the preferred hours for Nursery pupils.</p> <p>Term time wrap is 8am – 9am and 3pm – 4pm</p> <p>Holiday provision (6 weeks per year) is from 9am – 3pm.</p> <p>13 - 18 children per term – 2024-25</p> <p>Hours estimate - wrap 15 children (mid-point) TTW 35 weeks, 10 hours per week 5,250 hours</p> <p>Hours estimate - holiday 15 children (mid-point) 6 weeks, 30 hours per week 2,700 hours</p>
f.	<p>Following CYPES Baseline and assessment procedures</p> <p>This has been immensely successful. The pupils have been offered 10 additional hours per week of play and interaction with their peers which has enabled them to further develop in many areas.</p> <p>Opening for 6 weeks in the holidays also gave the pupils a safe, predictable environment to play with their peers and to continue their learning through high quality planned activities.</p>

3.2-3 childcare provision, Plat Douet (Douet Dinkies)

a.	<p>£13,439 - building/decorating £25,650 - resources</p> <p>This represents non-recurring (one-off) revenue spend across both pilots</p>
b.	The Nursery Teacher / EYFS Lead manages the Douet Dinkies provision. There is an allocated member of staff per four children. From September 2025 the provision has 2 Nursery Officers. 1 x Grade 8 & 1 x Grade 5.
c.	Staff £38,472
d.	All internal
e.	<p>Lower nursery pupil numbers provided capacity for up to 12 children. 11 children fitted the profile and attended 4 days per week, 3 hours per day.</p> <p>Hours estimate 35 weeks (Oct start) 11 children 12 hours 4,620 hours</p>

f.	<p>Cherry Garden (assessment and tracking software) was used to track progress of the children in:</p> <ul style="list-style-type: none"> • Self-care & Independence • Relationships • Feelings, Behaviour & Morals • Listening & Communication • Attention & Understanding • Reading • Writing <p>The children were also assessed on Welcomm and the overall progress is positive.</p>
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Minister’s evaluation of the projects

All projects have enabled children to attend a provision that might not otherwise have been possible. Indeed, the JCCT provision was set up for a cohort of children we were unable to place anywhere in the sector at that time.

Each project has evidenced positive development for all attendees and a positive impact on families.

[Independent research \(Isos Partnership\)](#) has corroborated this, with the pilots being identified as a strength of the existing provision which should be built upon and extended. Parents spoke positively about the quality of the childcare provided in these settings. In particular, parents reflected positively on having more provision available for younger children, for instance to support with the early identification of additional needs, and the availability of extended hours, including weekday wrap-around and holiday provision.

1.31 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for the Environment regarding the new map developed by Jersey Property Holdings that allows Islanders to see if their property is suitable for solar panels (WQ.421/2025):

Question

Further to the announcement that Jersey Property Holdings is developing a map allowing Islanders to see if their property is suitable for solar panels, will the Minister advise –

- (a) what policy changes and/or additional resources, if any, are being considered to support Islanders who wish to install solar panels;
- (b) whether he had input into or sight of the map during development; and
- (c) whether, once the map is finalised, it will be utilised across Government to enable more Islanders to invest in solar energy as part of their overall energy consumption, and if not, why not?

Answer

(a) There are currently no policy changes being considered with respect to solar panels.

The Carbon Neutral Roadmap Phase 1 policies and associated budget for 2022-2025 do not include any financial incentives for PV panels. The Phase 1 policies focus on prioritising reducing the

emissions generated from the combustion of fossil fuels in Jersey. PV panels allow owners to generate their own low carbon electricity at their property, thereby reducing their consumption of grid supplied electricity, which in Jersey's case, is low carbon as it comes predominantly from nuclear and hydro electric sources from France. While generating your own low carbon electricity has benefits in terms of lower electricity bills and security of supply and can play an important role in reducing peak demand and reliance of the importation of electricity from the French grid, the overall impact on Jersey's greenhouse gas inventory is low. Phase 2 of the Carbon Neutral Roadmap for delivery 2027-2030 and associated budget allocation will be agreed in 2026 by the incoming States Assembly, and it will be for them to decide whether any funding for solar panels should be included as we move into the next phase of our decarbonisation plans.

In approving P.11/2025 (as amended) [Evidence-Based Energy Strategy] the States Assembly requested the Council of Ministers to develop, and before 31st December 2026, start implementing an evidence-based energy strategy, that sets out Jersey's long-term energy requirements, and balances the need for affordability, safety, security, a market that delivers competitive outcomes and carbon-neutrality of the energy sector in Jersey. Work on the Energy Strategy is underway in accordance with that timeline. The role of solar power in Jersey will be considered as part of that work.

In line with Pathway 2050 – an energy plan for Jersey (the Energy Plan), the rules governing the need for planning permission in Jersey have already been reviewed so that, in many cases, the installation of equipment for the generation of electricity from renewable sources is exempt from the need to secure planning permission, to enable and encourage its adoption and use. This includes the installation of solar panels; air and/or ground source heat pumps; and a single wind turbine.

In most cases, solar panels or photovoltaic (PV) panels can already be installed without the need for planning permission. There are, however, some circumstances where permission may still be required. These include:

- if the installation is within a designated area where it could impact the safe operation of the airport;
- if the property is a listed building or located within a conservation area; or
- if the panels exceed certain size or placement limits - particularly on rooftops.

Information about these exceptions and the need to apply for permission is already available: see [Solar panels \(permissions\)](#)

(b) The PV map is still under development, and the Minister of the Environment has attended a briefing session on the latest iteration of the map.

(c) The map was developed as internal resource to better understand the PV potential of States owned property and as such was led by Jersey Property Holdings under remit of Minister for Infrastructure. Officers across a range of teams / departments have been briefed on it. The hope is that it will be made available to the public by the end of the year as an information tool for Islanders to get an initial idea as to the PV potential of their roof space, to raise awareness and to inform consideration as to whether investing in PV installation would be a viable option.

1.32 Deputy I. Gardiner of St. Helier North of the Chief Minister regarding the 2026 funding allocation to the Common Strategic Policies (WQ.422/2025):

Question

Will the Chief Minister provide details, in the form of a table, of the 2026 funding allocation to each of the Common Strategic Policies broken down to service level lines?

Answer

This Council of Minister’s 2025 Budget provided £8.2m of additional funding to deliver the recently approved Common Strategic Policy. The proposed Budget 2026 – 2029 builds on this by allocating a further £10m to support these priorities, as detailed in the table below. This is in addition to capital investment, most notably £174.7m for the new hospital allocated for 2026.

Work is also taking place across Government to support the Common Strategic Policy within established base budgets. For example, the most recent progress report on “Tackling Violence Against Women and Girls” outlines work by the States of Jersey Police, schools, and our health services, amongst others. This collective approach is replicated in other areas, for example, all Departments are working to reduce regulation and support our economy.

It is important to note that the Government does not produce budget allocations by service level lines for each Common Strategic Policy. Instead, funding is embedded within Departmental base budgets and aligned with Ministerial responsibilities. These budgets are analysed and presented in the proposed Budget 2026 – 2029 by Department, Minister, and Service, rather than by individual policy priority or service line.

£'000				2026	
CSP Priority	Growth	Service Line	Budget	Estimate	
Implement the recommendations from the Violence Against Women and Girls Taskforce	Implementation of VAWG Taskforce Recommendations	Public Policy	2025	124	
Extending Nursery and childcare provision	Extend nursery and childcare provision	Education	2025	2,358	
Provide a nutritious school meal for every child in all States primary schools	School meals	Education	2025	1,169	
Increase the provision of lifelong learning and skills development	Investing in Lifelong Learning & Future Skills Provision	Skill and Student Finance	2025	1,544	
Transition to a living wage	Minimum Income Standards	Local and Digital Economy	2025	50	
Keep Government fees, duties and charges as low as possible to help islanders with the cost of living	Deferral of Waste Income Charges	Operations and Transport	2025	3,000	
Transition to a living wage	Living Wage Transition Support	Local and Digital Economy	2025	10,000	
Transition to a living wage	Adjustment to the States Grant	Grant to SSF	2025	(10,000)	

Extending Nursery and childcare provision	Nursery 2 - 3 yr olds	Education	2026	3,000
Reduce red tape, enhance opportunities for business and strengthen Jersey's international reputation	Investment competitiveness	in General Reserve	2026	7,000
Total				18,245

2. Oral Questions

The Bailiff:

We now come to Oral Questions with notice. There are 15 questions, which works out at about 9 minutes per question.

2.1 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Treasury and Resources regarding the Proposed Budget (Government Plan) 2026-2029 being considered a “bridging budget” (OQ.251/2025):

I think I am the first Member to address you as Bailiff, Sir, so thank you. **[Approbation]** Will the Minister advise whether she considers the Proposed Budget (Government Plan) 2026-2029 is a “bridging budget”, as stated at a recent Scrutiny hearing, and, if so, will she explain how the decisions to draw down reserves and to reduce the States grant temporarily align with the Fiscal Policy Panel’s recommendations that day-to-day spending is unsustainable and that these short-term measures risk deepening Jersey’s structural deficit and fuelling domestic inflation?

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

I thank the Deputy for his question. This Budget covers the period 2026 to 2029 which, as we will all be very well aware, includes a general election. While the Budget sets out a balanced plan for the next 4 years, we must recognise that a new Assembly and a new Government will be setting a Budget in 2027 and will need and wish to align it to their own priorities. Describing the plan as a “bridging Budget” is therefore entirely sensible. The Fiscal Policy Panel have long recommended that we strengthen our reserves, and this Government took action in the last Budget through the transfer of the prior year basis taxation debt to the Strategic Reserve, and this will happen before the end of this year. Drawdowns from the Social Security Reserve are made only to cover the cost of pensions and other benefits, which is exactly in line with the purpose of that fund. Government is not drawing down from reserves for services during this Budget. It is still putting £184 million into the fund through the States grant. I think we can all agree with the F.P.P. (Fiscal Policy Panel) that the previous growth in the public sector is not sustainable, and all Members need to work together to ensure that we do not continually add more spending to the Budget without regard for how we will pay for it. However, making changes to curtail the growth should be done in a considered manner, understanding the impacts. This must be a focus in the coming years to ensure we will build more sustainable public finances for the future.

2.1.1 Deputy P.F.C. Ozouf:

I am very sympathetic to everything that the Minister for Treasury and Resources said in that interview with the Scrutiny Panel. She also said that, in her view, I think, the position should be reasserted that it is the Minister for Treasury and Resources’ Budget as opposed to the Council of Ministers. I wonder in answering the question concerning a bridging Budget whether or not she

would seek reclaiming the powers back for the Treasurer and the Minister for Treasury and Resources to ensure that she can put a Budget before this Assembly or any Minister for Treasury and Resources, as was the case in the past, when there is a structural deficit with corrective action?

Deputy M.E. Millar:

That is an interesting question, and I think yes, I did say that during the Scrutiny hearing. My understanding, and I have to confess to not being fully aware of what the changes were, is that some changes were made in 2019 to the Public Finances Law, and that did remove some of the Minister for Treasury and Resources powers. For example, the Budget is a Budget that is lodged by the Council of Ministers and it is the Minister for Treasury and Resources' Budget. I have asked my team to look into what those changes were and what we think the impacts of some of those changes were. We have already suggested in the Budget that we will return to a multi-year budgetary process rather than the year-on-year, which we have been doing for the last few years, and to then consider what further changes should be made to reinvigorate, shall I say, the Minister for Treasury and Resources' powers. I think the reality is that is not something that will be completed in this term, but it is work that I have instructed my officers to commence.

[9:45]

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

Would the Minister agree that simply curbing the growth in annual expenditure does not go far enough with the economy and the finances in the position that they are. It is time that the Government returned to the work of the previous Government, which was addressing, stopping and simplifying the delivery of services in order to properly address and reduce the annual expenditure of Government?

Deputy M.E. Millar:

I do not believe that work has necessarily stopped. In the last couple of years, departments have been asked to make efficiencies, to reprioritise services, to look at what services need to continue, and I agree that work has to continue, and it has continued. We have taken real steps to make savings and efficiencies and we can point to that both in Health and in other departments. I agree with the Deputy that work has to continue and we all have to play a part, but we all have to remember that we have constant demands for new money and new spending and we all have to remember that that new spending has to be paid for. But the Government is also putting money into economic growth in a variety of areas.

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

Does the Minister agree that it is in the public interest that an individual Minister should have responsibility for the Island's Budget?

Deputy M.E. Millar:

I believe that was a pattern for a very long time and I think since that stopped being the case we have seen the very big increase in spending that we have seen in the last 5 or 6 years.

2.1.4 Deputy P.M. Bailhache:

Could the Minister answer the question?

Deputy M.E. Millar:

Yes.

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

Could the Minister explain how she believes the Budget maintains fiscal discipline while addressing some of the growing pressures in Housing, Health and Infrastructure?

Deputy E. Millar:

As I have indicated, we are taking steps to curb growth in the public sector, particularly by reducing the use of consultants, by trying to take out extra layers of management, by looking at senior managerial roles, and in the meantime, by preserving what we would call front line jobs. Now, we could all argue about what front line jobs are. That seems to really narrow down in most people's minds to health and education. Very many of the new jobs we have seen are, in fact, in education. We have a very significant number of new teaching assistants and we have continued to recruit in health. Fiscal discipline is something that sits with the A.O.s (accountable officers). They are all very well aware of the need to come in within budget. We have been speaking to them since as long as May to make sure that they are coming in in budget, but many of them will tell you that is easier said than done. Fiscal discipline, I absolutely agree. But it comes down to all. Government can only control so much and everybody in this Assembly, I keep saying, has a part to play in restraining spend and if everybody brings forward propositions requiring us to spend more money, it makes it very difficult for Government to balance the books.

2.1.6 Deputy K.M. Wilson:

Thank you to the Minister for that. One of the things that would be helpful to understand is how the overspends, if they do occur, will be addressed in this Budget? \

Deputy M.E. Millar:

To the extent there are overspends, we think we already know what they are at this time of year. We know what the extent of the overspends are. Accountable officers are responsible for those. They have been asked to look at action plans to bring themselves in line. There will be some departments where, for a number of good, unavoidable reasons, that is not going to be possible, but there is funding in the contingency reserve to meet the overspends that we believe we have at the present. But we really need to get back on to a basis where people are not exceeding budget, people must come in a budget in future.

2.1.7 Deputy P.F.C. Ozouf:

I must say I welcome the Minister for Treasury and Resources' acknowledgement that the powers of the Minister need to be restored in law and congratulate her for saying so openly yes to Deputy Bailhache's question. Will she now actually, notwithstanding the fact that those changes to law may not be in this Parliament, in this term of office, would she at least undertake to require her Ministerial colleagues to bring forward an options paper on how they would collectively, under the current arrangements, close that structural deficit, that black hole, so that Islanders can understand what the difficult trade-offs that they are going to be asked to make, and the future postholder will be asked to make, to close that deficit? You can only close a deficit by either reducing expending, growing the economy or raising taxes. Would she agree to do that?

Deputy M.E. Millar:

I do not believe I have the powers to require my colleagues to do anything. I can ask them to do it and I can encourage them to do it. I certainly will do that. My officers will start that work so that everybody understands what the implications are. I am afraid I have lost the last part of your question, sorry.

Deputy P.F.C. Ozouf:

It was a traditional 3-part plan. It is always going to be either tax increases at the last, growing the economy and before that expenditure actions; there are only 3 ways out. You cannot hide it. I think she knows that.

Deputy M.E. Millar:

Yes, that is the case. We either have to grow the economy; we are trying to do that. We are trying to support and promote the economy in a range of initiatives, or we have to consider our tax model, but as the F.P.P., anybody who came to the F.P.P. briefings, they also acknowledged that our business model is not accommodating of significant tax changes or we really cut our spending. As I have said again previously, paraphrasing words of someone else, we are a small jurisdiction of 100,000 people and we cannot have it all. We have to stop creating bodies and structures and commissions and regulators that we can no longer afford [**Approbation**] and look at an efficient and proportionate and appropriate way of getting public finances in a position that Jersey can afford and can reasonably expect. Because we do have some very high expectations, and I think my words ... my heart sinks every time I see the words we must have world-class this, global standard this. We simply cannot. We have to recognise what we can do in a small population and we all have to start paying attention to that.

Deputy P.F.C. Ozouf:

May I raise the *défaut* on the Chief Minister, please?

The Bailiff:

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

2.2 Deputy M.B. Andrews of St. Helier North of the Minister for Justice and Home Affairs regarding the impact on animals of the use of fireworks (OQ.241/2025):

Will the Minister advise what assessment, if any, has been undertaken of the impact on animals of the use of fireworks and whether any consideration has been, or will be, given to lodging amendments to the Explosives (Jersey) Law 1970 to restrict or to change the use of fireworks to reduce any such impact?

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

I thank the Deputy for the question. When it became evident that I was going to be unable to actually bring any changes to the regulations in relation to pyrotechnics, I took it upon myself to meet with members of the community. I am not an animal expert, even though I have been brought up with animals and I still have dogs. So I spoke to people in the community who do have a variety of animals, alongside I have had some correspondence with vets as well. I, like the Deputy, do have concerns in relation to animals and fireworks. However, I would also like to say that this is not only an impact on animals, but this has a significant impact on our community as a whole, because there are people that have an impact with fireworks, not just animals.

2.2.1 Deputy M.B. Andrews:

I would really like to know what action is going to be taken before the Minister's term of office ends?

Deputy M.R. Le Hegarat:

As I have explained to the Deputy, as it became apparent that I had no facility or no capacity to be able to look at this as a piece of legislation due to the 5 pieces of legislation under the violence against women and girls, child detention, police complaints framework, modernisation of precautions arrangements for tall buildings post-Grenfell Tower, post-custodial arrangements, et cetera. So all of those pieces of legislation are well in train and will be completed by the end of this term of office. It is not possible, even though I would like to have been able to do something more in relation to this piece of legislation as well as fireworks, it has not been possible. I did intend, and I probably will in the next 6 months, have some conversation with a member of the Comité des Connétable because I would like to start talking to them about the possibilities.

2.2.2 Deputy P.F.C. Ozouf of St. Saviour:

I wonder whether the Minister would be kind enough to agree with the fact that there is currently a well-established voluntary arrangement where somebody is having a firework display, that they go around and they visit the individuals, and particularly horse owners, that may be affected. Would she at least undertake to request that the Constables send out messages, which I know maybe they do. The St. Saviour situation was clear. I received 2 visits from individuals asking whether or not I objected to a firework display. I discussed it and said about horses. Would she agree that there are some informal routes that may well be able to be made in advance of a legislative change if necessary? Would she undertake to advance that with the Constables?

Deputy M.R. Le Hegarat:

That is exactly what I had considered in relation to speaking to the Comité des Connétables. This is a fairly complex situation. Obviously, not only have I spoken to animal owners and those that actually look after animals, but I have also spoken to the organisers of fireworks as well. This is something that will need to be done. But of course, it is also not as simple as the notification, because you cannot be in a position where you are going to potentially sedate animals on a regular basis as to the number of firework displays that now are beyond what is 5th November.

2.3 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for the Environment regarding the proposed reduction to his Department's budget (OQ.245/2025):

Further to the proposed reductions to his department's budget set out within the Proposed Budget (Government Plan) 2026-2029, which he has stated would "severely undermine service delivery across the board", will the Minister advise what services will be stopped or scaled back as a result of these reductions and what specific impact, if any, he anticipates they will have on the Department's ability to deliver its core functions?

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

2026 is going to be an extremely challenging year to manage within allocated expenditure for both the regulation and natural environment directorates. However, I am committed to living within budget, but I must say that with declining income, my options are very limited. The Deputy asked the question, and the workstreams likely to be most affected might include one or some of the following: marine offshore heavy metals analysis, annual marine reporting, blue carbon research, F.E.P.A. (Food and Environmental Protection Act) planning application responses, public marine outreach and education, countryside access path and rights of way management, climatology data and reporting, air quality monitoring, biodiversity consultation to planning applications, animal welfare visits, capacity to monitor and help enforce wildlife legislation, ability to comply with U.K. (United Kingdom) and global policy reporting obligations, Asian hornet control, and the state of nature reporting requirements.

2.3.1 Deputy H.L. Jeune:

Could the Minister advise how he determines which areas of his department's work are prioritised for funding; specifically how he weighs up what constitutes not just a priority but a necessity or risk, especially after that list that the Minister has just provided us?

Deputy S.G. Luce:

That is not an easy question to answer but I did try to explain to it in a recent Scrutiny hearing. Obviously all States Members have priority lists and when something new arrives you have to decide where in the list you put it. Something like P.F.A.S. (per- and polyfluoroalkyl substances), something like the results of Brexit happening, something like housing standards laws being changed and passed. We all have to accept that there are different risks and we have to reprioritise, but certainly

statutory work that has to be done has to go towards the top of the list and some of the work which is nice to do, really important to do, but some of that work sometimes has to go further down the list as is required.

2.4 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the total cost of Covid and flu vaccines that were not used (OQ.247/2025):

Further to Written Question 393/2025 and in light of the increase in the Health budget included in the Proposed Budget (Government Plan) 2026-2029, will the Minister provide the total cost of COVID and flu vaccines that were not used in 2024 and in 2025 to date?

Deputy T.J.A Binet of St. Saviour (The Minister for Health and Social Services):

There was no cost to the Island for unused COVID vaccinations in 2024, and that is because the vaccine was provided free of charge by the U.K. for the eligible groups.

[10:00]

This is the same for 2025. With regard to the value of unused flu vaccine; because there are 3 different vaccine types, all with different prices, and a large part of the campaign was delivered by private providers, the exact details of vaccine types used and vaccine types remaining is not actually available. That said, we are pretty clear that both COVID and flu vaccine uptake in 2024 was down compared to 2023. That situation certainly was not predicted and we accept that the levels of unused vaccine was probably quite high. As for 2025, we are still at a very early stage, but early indications suggest that we are ahead of this time last year, and efforts will continue to encourage uptake. We also reduced the amount of vaccine ordered this year, and given that we are expecting a rise in influenza infections in the next couple of weeks, we are expecting to see waste levels reduced considerably for the coming winter. I hope that answers the Deputy's question.

2.4.1 Deputy J. Renouf:

My calculations based on the answer to Written Question 393 suggests that about 45 per cent of COVID vaccines were unused as a result of the data that he provided. It is reassuring to know that cost does not fall on the Jersey taxpayer. But I wonder, given that it is nevertheless a waste, what does the Minister think are the reasons for that level of unused vaccines?

Deputy T.J.A Binet:

I would just say that I am no happier than the Deputy about the idea of any waste. The Deputy made reference to the fact that we are looking for more money for Health and I fully accept that we should not be allowing waste in any way, shape or form. I do wonder, there seems to be some online resistance to vaccinations, which I think has been very damaging and I think that is seen across the vaccination piece. I would say in terms of being accurate, everything that we do in health, as I have made the point before, is manual and I think if we had a fully digitised system we would be very much better able to judge at the end of a season of what had not been used. We need that data because we need to make sure that we are spending our money properly. I am in accord with the Deputy very much on the need to save money.

2.4.2 Deputy I. Gardiner of St. Helier North:

Would the Minister advise if the surplus vaccines have been donated to vulnerable groups, Overseas Territories, if it could be used and not wasted?

Deputy T.J.A Binet:

I am afraid off the top of my head I could not answer that. But knowing the team as I do at Public Health, I would imagine that if that was a possibility that is something that they would have done. I am not entirely sure if that is possible but if it is possible I would certainly hope that they have done that.

2.4.3 Deputy I. Gardiner:

I welcome the Minister's first answer. Would the Minister summarise what lessons have been incorporated in the future immunisation planning?

Deputy T.J.A. Binet:

We have a joint committee for vaccinations and immunisations and they look at all the data that they can achieve every year. They make decisions about what types of vaccine and the amount of vaccines to order again for the next year, so that task falls to them. I can only suggest that they do that to the best of their ability. But, as I say, if we had better data we could make better decisions.

2.4.4 Deputy J. Renouf:

The issue arose because a member of the public told me that they had asked for a vaccine and heard that there was an excess of vaccinations and had asked to be included and were told they could not be, even though vaccines were being thrown away. My question to the Minister is: would he be prepared to consider widening the criteria for vaccinations so that the vaccines are not thrown away and more people are able to take advantage of them?

Deputy T.J.A Binet:

On the face of it that seems a suggestion. It is not something I think we should do at the beginning of a campaign because obviously the object of the exercise is always to order the right amount for vulnerable people. As I say, once again, if we had the data that we require if we are halfway through a campaign and we can see that the uptake is not as good as it should be, then it would make perfect sense to include people who are less vulnerable. As I say, if we can systemise to the extent of achieving that, that would seem to be a perfectly logical suggestion.

2.5 Deputy D.J. Warr of St. Helier South of the Minister for Health and Social Services regarding the EU Good Manufacturing Practice (OQ.253/2025):

Will the Minister explain whether the E.U. (European Union) Good Manufacturing Practice is enforced in Jersey and, if so, how and if no such enforcement is undertaken, why not?

Deputy T.J.A Binet of St. Saviour (The Minister for Health and Social Services):

At present E.U. Good Manufacturing Practice is not enforced in Jersey because we do not have a regulatory authority with enforcement powers. The U.K.'s regulator, the M.H.R.A. (Medicines and Healthcare products Regulatory Agency), does not extend to Jersey. What we do have is an agreement with the M.H.R.A. to carry out one-off inspections, which provides some reassurance but it is not the same as having our own system to oversee and enforce standards throughout the products' life cycle. We have already begun work on what a proper proportionate framework should look like so that products made or supplied in Jersey meet recognised international standards. To make that happen we will need co-operation and support from other departments, and I am currently working for them to get this right. I hope that helps cast some light on the situation.

2.5.1 Deputy D.J. Warr:

Thank you, Minister. Could you tell the Assembly a little more about what that work involves and whether it will require input or support from the Economy Department?

Deputy T.J.A. Binet:

Yes, it will. We have come to this, as an Island, from a rather peculiar angle. The funding for much of this work does sit with the Economy Department. A lot of work is being carried out by the Pharmacy Department and it is all being overseen with Health. We are trying to bring these threads together and make proper sense of what is required. As I have said before, we are using some U.K.

experts for this purpose and I know there is a reluctance to employ consultants but in this case we needed to find people with global experience so that we could draw on them to make sure that they analysed what is required and pointed us in the right direction. I think we start from some way back but we are making very good progress and we are getting good buy-in from the various people, including the Economy Department, to make that happen.

2.6 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding vaccine-related injuries (OQ.248/2025):

Given that October marked Vaccine Injury Awareness Month, will the Minister advise what action, if any, has been taken to recognise and to support Islanders who have suffered vaccine-related injuries, in particular those resulting from the COVID-19 vaccination programme?

Deputy T.J.A Binet of St. Saviour (The Minister for Health and Social Services):

In answer to the Deputy's question, in May 2024 the Government adopted the Jersey Vaccine Damage Payment Scheme and so far 8 Jersey residents have applied to the scheme. But, unfortunately, to date no one has been medically assessed as qualifying for compensation. Though in recent months we have organised psychological support, as you feel they may have been damaged by the vaccines.

2.6.1 Deputy I. Gardiner:

Thank you, Minister. As we know that the threshold is really high and my question: has the Minister met or does he intend to meet a representative of the Vaccine Injury & Bereaved Jersey group to hear directly about the challenges they faced and maybe further support can be given?

Deputy T.J.A. Binet:

Yes, I have met with the group and I have no doubt that I am likely to meet with them again. I have to say that since I have been dealing with this from a political perspective, I found the whole situation rather difficult. Firstly, the bar for paying compensation has been set quite high and that requires a 60 per cent disability. That has got to be medically verified as having been caused as a direct consequence of vaccination. Secondly, because for any medical assessment it is extremely difficult to ascertain what medical condition any individual may have developed post-vaccination in your recourse of events. That is especially with reference to those with pre-existing medical conditions. In all honesty, I found myself in a very difficult position and having listened to some very compelling cases, but not being a doctor, not me being in a position to ascertain what may or may not have been going to happen to that individual person with or without the vaccine. It is a difficult situation indeed.

2.7 Deputy B.B. de S.DV.M. Porée of St. Helier South of the Minister for Health and Social Services regarding adequate support for Islanders experiencing mental health problems (OQ.243/2025)

Will the Minister advise what measures are being implemented to ensure adequate support is available for Islanders experiencing mental health problems, given that Mind Jersey is no longer providing counselling services and that other agencies offering such crucial support have reported increasing difficulty in meeting the growing demand for their services?

Deputy T.J.A. Binet of St. Saviour (The Minister for Health and Social Services):

While Mind Jersey have recently ceased to provide some limited counselling services, I would like to assure Members that that will not have a significant impact on mental health services users in any way. That is because the Listening Lounge currently provide a comprehensive service utilising fully qualified British-accredited counselling psychotherapists and Jersey Talking Therapy also provide a

service using psychological well-being practitioners. I know that recently Mind Jersey's contract to provide a service to carers came to an end but I can also inform Members that a new contract was recently awarded to a partnership to provide carer support, and that is led by the Listening Lounge. But it also includes a number of other charities, including Dementia Jersey, Focus on Mental Illness and Jersey Eating Disorder Support group. This year we have also commissioned or developed a number of other services, including a physical health pilot for people with mental health needs and the recovery help which is running an increasing number of support groups. I hope that this helps to put the Deputy's mind at rest and other Members' minds at rest too.

2.7.1 Deputy B.B. de S.DV.M. Porée:

Is the Minister concerned by the fact that running a social media campaign on the benefits of repeated co-counselling, while actively reducing the funding that makes it available, is sending a very mixed message to the electorate?

Deputy T.J.A Binet:

Yes, I am caught a bit off balance here. I was not aware that we were reducing funding because we are supporting all of the work that I have previously mentioned. I can certainly check but that certainly does not sound like a reduction in the support that we are offering people with mental health problems. It looks very much to me like an increase and an improvement.

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

Given that the services mentioned by the Minister, the Talking Therapy and the Listening Lounge have limited places and limited number of slots available per client, is the Minister concerned that the increased demand by reducing services for Mind may force people more into the private sector where these services are not regulated?

Deputy T.J.A. Binet:

I am led to believe, and I have been making inquiries as recently as this morning but I cannot speak for Mind, but the services that they were providing were not of the quality that are being provided by these other providers. I was not aware of a shortfall in the capacity. As a result of what Deputy Coles has said, I will certainly be looking into that but that is something that has not been brought to my attention.

2.7.3 Deputy T.A. Coles:

The Minister says that he was concerned about the quality of their services being provided. Is not quality driven up by regulation and having counselling services added to the professional register would be more beneficial to the public as a whole?

Deputy T.J.A Binet:

No, I think we have had this discussion and, as I say, I do not want to get too deeply into this because I have had limited time. I have got 5 questions this morning and I have been trying to ensure the accuracy of them. This is something I am happy to take up outside of this. But I am led to believe that Mind Jersey were using trainees in the counselling service but I do not want to get any further down this road, if the Deputy will permit me, because I need to look into this in more detail.

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

The Minister mentioned that a contract at Mind Jersey has come to an end and that there may be a new contract. Does this new contract result in an overall increase or decrease in funds to this much-loved and effective local charity?

Deputy T.J.A. Binet:

To the best of my knowledge, and I have looked at this in a bit more detail, the partnership that is being put together is going to offer a considerably more comprehensive service. As I say, it involves Dementia Jersey, Focus on Mental Illness, the Listening Lounge is there, which leads the project, then Jersey Eating Disorder and they are offering a broader and, hopefully, a more effective support service, and that is why the contract was given to them.

[10:15]

2.7.5 Deputy L.M.C. Doublet:

The Minister did not answer my original question, so I would be grateful if he could answer whether Mind Jersey are receiving an increase or a decrease in funds with this new contract. Also, by what measure is the Minister making a judgment on the quality of their services?

Deputy T.J.A. Binet:

In terms of the amount of funds that have been attributed to the new service, that is something I would have to enquire about. As to the judgment on the quality of the new service, that has not been defined by me. There is a commissioning process and that commissioning process has found that the bid that was put in by the Listening Lounge in conjunction with these other charities was the better of the options than that what was chosen. I think that that is the process that we use and I cannot see any reason to suggest that that would not be the case, that it is a superior service on offer.

2.7.6 Deputy M. Tadier of St. Brelade:

Will the Minister advise whether he is monitoring waiting times for referrals for mental health services and, if so, could he tell us what the average waiting times currently are?

Deputy T.J.A. Binet:

No, to be honest with you, I would not be able to carry that level of detail round because I find myself monitoring anything and everything in the health service employing 3,000 people. The answer to that is no. But if the Deputy would like some information I can certainly make some enquiries in that regard.

2.7.7 Deputy M. Tadier:

The supplementary is really whether the Minister is aware of issues in terms of waiting times when it comes to mental health referrals and whether he can tell us whether the waiting times are coming down or whether they are staying the same or going up?

Deputy T.J.A. Binet:

No, I tried to answer that the first time and I said that I cannot monitor everything all the way through the whole system; it would be physically impossible. But if the Deputy would like some details I am very happy to make inquiries and provide them to him.

2.7.8 Deputy P.F.C. Ozouf of St. Saviour:

Would the Minister kindly address whether or not in his view this is affecting the increasing number of Islanders that are awaiting A.D.H.D. (Attention Deficit Hyperactivity Disorder) diagnosis and treatment and, therefore, require counselling? He will be aware, as Members are, of my personal interest in this.

The Bailiff:

This is a question about Mind Jersey providing counselling services; that is the original question.

Deputy P.F.C. Ozouf:

The extent to whether or not it affects those requiring counselling services because they cannot get A.D.H.D. diagnosis and treatment.

The Bailiff:

All right. Minister, can you assist in this way?

Deputy T.J.A. Binet:

I have listened carefully to that question and I do not know if I understand it fully. I have mentioned the fact that we have got some comprehensive services available from other sources, which are more comprehensive than the other ones, as I understand it, that were made available from Mind Jersey. With regard to A.D.H.D., I think the Deputy knows that we are doing all we can to bring waiting lists down and there is work ongoing with that. I am hoping that we are going to make some significant progress in 2025. But if the Deputy is aware of anybody with A.D.H.D. that cannot get the counselling services they require, I am very happy to listen to them and see what we can do to put that straight.

Deputy P.F.C. Ozouf:

I am grateful for that last comment. I am aware of many, as the Minister is aware, and I am grateful for his comments and engagement for those people who are awaiting diagnosis and need counselling clearly.

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

Is the Minister able to clarify or confirm that he is one of the trustees of one of the charities mentioned in the new partnership that is being awarded this contract? If that is the case, can he confirm what involvement he had or did not have in the tender process to award that, please?

Deputy T.J.A. Binet:

Yes, I am very happy to confirm that I am chairman of the Jersey Focus on Mental Illness. I am also happy to confirm that I have had absolutely no involvement with their inclusion in this service whatsoever. To be fair, I found out that they were part of this once the contract had been awarded. I would also say it is not a commercial business and I think charities should be viewed - and I think they are viewed - for what they deliver in their own right.

2.7.10 Deputy L.K.F. Stephenson:

I am grateful to the Minister for that clarification that he was not involved. I would just question whether he should be answering this question in the States Assembly at all, but would the Minister agree with that? I do not know if I need to phrase it as a question or whether it is a point of order for you, Sir, about whether he should be, and he has praised rather a lot.

The Bailiff:

I do not think there is any difficulty in answering questions in the way that he has. Have you a question or not that you want to ask him?

Deputy L.K.F. Stephenson:

No, Sir.

The Bailiff:

No, there is no question.

Deputy T.J.A. Binet:

Sir, if I may, I have made extensive inquiries for the Charities Commissioner about my involvement and the way I conduct myself. I have been given basically a clean bill of health to carry on. I would not have done that without taking his advice.

2.7.11 Deputy B.B. de S.DV.M. Porée:

As the Minister stated, he is prepared to look at the situation in greater detail. Would he be prepared to consider providing the service through the hospital? Would the Minister come back to the Assembly and report it to us of the outcome of this further research?

Deputy T.J.A. Binet:

I am sorry but I do not think I have quite understood what I am being asked to do, Sir, forgive me.

The Bailiff:

Do you want to repeat your question, Deputy Porée?

Deputy B.B. de S.DV.M. Porée:

As the Minister has stated, in particular with the question to Deputy Coles, he is prepared to look at the situation in greater detail. Would the Minister be prepared to come back to the Assembly and report his findings?

Deputy T.J.A. Binet:

I am not entirely sure which situation the Deputy is referring to but I am happy to pick it up with the Deputy in order to not delay proceedings. I will make that commitment, whatever that might be, if that helps to move things on.

2.8 Deputy Sir P.M. Bailhache of St. Clement of the Chair of the Privileges and Procedures Committee regarding Children's Rights Impact Assessments (OQ.242/2025):

Will the chair explain why, notwithstanding that the Children (Convention Rights) (Jersey) Law 2022 requires a Children's Rights Impact Assessment (C.R.I.A.) to be produced only where a proposition may have a direct or indirect impact on children, the States Greffe continues to expend resources in asking that a C.R.I.A. be provided with each proposition?

Deputy S.M. Ahier of St. Helier of St. Helier North (Chair, Privileges and Procedures Committee):

I am grateful to the Deputy for this question and apologise that it has taken such a long time for P.P.C. (Privileges and Procedures Committee) to respond fully to an issue he first raised with the committee before the summer recess. The Deputy is correct that to date a C.R.I.A. has been requested for each proposition or amendment to be lodged, unless it is explicitly exempt from the requirement in accordance with the Children Convention Rights Law. However, I can confirm that this process will change. I am conscious this may be news to Members. The States Greffe will, therefore, circulate guidance about the new process. Essentially, in future a C.R.I.A. will only be required for lodging purposes where the proposition or amendment is considered to have an impact on children. If the proposer's conclusion is that the proposition has no impact on children, there will be no requirement to prepare a C.R.I.A., although a statement will be included in the accompanying report to state that fact. There has been no change to the list of propositions that are exempt from the requirement for a C.R.I.A., even when it is thought the proposition may have an impact on children. Following the Deputy's initial approach to P.P.C. on this subject, the committee has considered this matter and engaged with the Government in order to confirm the application of the law and the process that should apply to lodging. That is why it has taken some time to make this change.

Deputy P.M. Bailhache:

I am very grateful to the Chairman and his response.

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

Does the chair of P.P.C. regard it as important that States Members continue to place great importance on the findings of the Independent Jersey Care Inquiry and its examination of past failings of leaders

to put children first? If he does so, would he agree that requiring States Members to have regard for their obligations to children in our society and demonstrating that through the production of a Children's Rights Impact Assessment is not too much to ask?

Deputy S.M. Ahier:

Absolutely, I concur with what the Deputy has said entirely. I obviously agree that a C.R.I.A. should be included where they are absolutely necessary under the law. But I would like to mention that obviously sometimes C.R.I.A.s have been applied, for example, there is P.99, the Draft Taxation (International Tax Compliance) (Crypto-Asset Reporting Framework) as an example whereby a C.R.I.A. has been supplied and obviously that was not necessary in that instance.

2.8.2 Deputy S.Y. Mézec:

In what Members have been sent about prospective changes to how this works, and the chair please correct me if I have misinterpreted this, but my interpretation of what I read was that the first stage in this would require the States Member bringing a proposition themselves to determine whether further exploration of a Children's Rights Impact Assessment is necessary. That may be obvious in the kind of cases that the chair has just referenced. But if ever a dispute arose and perhaps a Member did not have regard when the wider view is that they ought to have had regard, is there any safeguard in that to require a States Member to think again if they have inappropriately decided in the first instance that it is not right to do a C.R.I.A.?

Deputy S.M. Ahier:

Yes, there are 2 parts; obviously the screening stage in the full C.R.I.A. and in the screening stage: "The duty-bearer can generally conduct screening based on existing information and their own knowledge and expertise." Yes, the interpretation will be by the duty-bearer who is bringing the proposition. But as the law stands there is no way that we can instruct that person to incorporate a C.R.I.A. at this point in time, unless of course there was a change or an amendment to the law brought forward by the Government.

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

I am just reading the information that Deputy Mézec referred to. I am quite astonished that this has only come in 15 minutes before the question and I had no idea that this was happening. As the States Member who brought this proposition, I would ask the chair of P.P.C. why there was not wider consultation before this making change? Also, will there be any changes to legislation required to bring this in?

Deputy S.M. Ahier:

When you say would there be any changes to be brought by P.P.C. to bring this in; no, we are applying the law as the law is written. There was no requirement for consultation to apply the law. We have made the interpretation, as Deputy Bailhache has so rightly pointed out, to have the law interpreted in the correct fashion. The release of the information this morning with the template, obviously we have only received this information recently. We had been working on it for most of the summer. We decided to inform Deputy Bailhache in the first instance and thereafter we informed all States Members and that happened to coincide with today's question.

2.8.4 Deputy L.M.C. Doublet:

Was the Children's Commissioner consulted or any discussions had with her and what was her view?

Deputy S.M. Ahier:

P.P.C. did not consult the Children's Commissioner with the interpretation of the law, no.

2.8.5 Deputy J. Renouf of St. Brelade:

I think I heard correctly that the guidance going forward will be that if there is no impact on children, then a C.R.I.A. will not be provided. I wonder if the Deputy could provide some clarification on that because by some readings there will always be an impact at some level on children as a result of activities in this Assembly. I just wondered, what is meant by “no impact”? Is it that there is no specific impact on children? Because drawing it as no impact seems to me to be quite wide.

Deputy S.M. Ahier:

Obviously I mentioned the crypto-currency assets but we also have obviously schedule 2 of the 2022 Law which states the other exemptions. One could argue that there are plenty of those that would directly or indirectly affect children but they are excluded.

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

Can I ask the chair of P.P.C., does P.P.C. recognise the significant support given by the Greffe in the production of C.R.I.A.s and the fact that they are a positive move to just increase our understanding of the impact of the decisions that we make in this Assembly?

Deputy S.M. Ahier:

Yes, indeed, Deputy. I do accept the support of the Greffe in all the decisions that are made.

[10:30]

2.8.7 Deputy R.J. Ward:

Further, part of that support is the understanding from Members that it is our decision on our belief on the impact on children; that is the key part of the screening process. Much of what we have talked about here already exists; it is our decision as States Members as to what we believe the impact will be on children and this enables us to look more clearly at that. Would the chair of P.P.C. agree with that and, if so, perhaps to reiterate that to Members?

Deputy S.M. Ahier:

Yes, indeed, I agree entirely with what the Deputy has said. Yes, it is important to follow the guidance. The guidance has been sent out and there is a template and obviously we need to follow the guidance. I am quite confident that all duty-bearers will be able to follow that guidance quite clearly.

2.8.8 Deputy I. Gardiner of St. Helier North:

I noted there is no formal requirement on the consultation but I believe this particular decision could involve some engagement with the States Members. Saying this, would any communications have been done with the Minister for Children and Families?

Deputy S.M. Ahier:

Yes, that was a similar question that I was asked before. We had consultation obviously with Deputy Bailhache, who obviously opposed the committee in the first instance. We are not changing the law in any way. We are just interpreting the law correctly. There was no need for consultation with the Children’s Commissioner.

2.8.9 Deputy I. Gardiner:

I did not ask about the Children’s Commissioner. I believe when we are changing guidance, was any engagement done with the Minister for Children and Families?

Deputy S.M. Ahier:

I beg your pardon, I misheard. No, there was no direct engagement with the Minister for Children and Families.

2.9 Deputy L.M.C. Doublet of St. Saviour of the Chief Minister regarding an Equality Impact Evaluation (OQ.255/2025):

In 2023, the Government produced an Equality Impact Evaluation to help policy officers assess the impact of policies on protected characteristics, including gender, disability and age and other areas, will the Chief Minister advise whether the evaluation is being utilised in relation to the development of all policy and legislation and, if it is not, advise why not?

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

I believe policy officials across Government are required to use the same policy template, which includes a specific section on considering equality issues when developing policy and legislation. The template requires officials to refer to the Equality Impact Evaluation guidance document developed in 202,3 and I thank the Deputy and Deputy Jeune for their work on that, as part of considering the impact of any proposed policy or legislation on protected characteristics.

2.9.1 Deputy L.M.C. Doublet:

I thank the Chief Minister for his answer. Was this document used on the recent Budget and can the Chief Minister outline any other recent examples where this has been used and where it has had a positive impact?

Deputy L.J. Farnham:

Again, I believe it was but I cannot highlight any particular circumstances. Currently the Government does not keep a record of such activity. Our model of Government is that each Minister is responsible for their own policy areas, so we do not keep a central record of that at the moment. But that is something I intend to address.

2.9.2 Deputy I. Gardiner of St. Helier North:

Would the Chief Minister advise if he is aware what training or accountability mechanism exists for officers to apply this tool?

Deputy L.J. Farnham:

I am not sure of the exact detail of the training but I can get that information for the Deputy if she requires it.

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

Deputy Gardiner just asked a similar question to me. But I would like to ask the Chief Minister if he would be able to commit to publishing the results of quality impact evaluations when they are carried out on major policy or legislative proposals like the Budget, so the public and Scrutiny can see how decisions are affecting groups, especially because at the moment there seems to be nothing on the website that even indicates Equality Impact Evaluation tools are carried out?

Deputy L.J. Farnham:

I cannot see a problem with that. I would like to discuss that with officials and colleagues but I think that is something we can aim to do.

2.9.7 Deputy L.M.C. Doublet:

The Chief Minister will be aware of the open letter that came from Soroptimist International Jersey branch making reference to specifically Gender Equality Impact Assessments. Would the Chief Minister commit to communicating with that group and the work that the Government is doing, so they can be reassured and, if necessary, ongoing regular communication and take into account their concerns and views?

Deputy L.J. Farnham:

I thought the Government had been in communication but I assure you to make sure the appropriate procedure is followed.

2.10 Deputy J. Renouf of St. Brelade of the Chief Minister regarding the 2026 actuarial review of the Social Security Fund (OQ.250/2025):

Further to the Fiscal Policy Panel Annual Report's recommendation regarding reductions in the grant to the Social Security Fund, will the Chief Minister explain why his Government did not bring forward the 2026 actuarial review before committing to such reductions in the Proposed Budget (Government Plan) 2026-29; and will he also explain why he is confident that long-term spending increases in the Budget will be sufficiently funded?

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

As the Deputy will know, the previous full actuarial review was published in 2023 and it would not have been realistic or practical to bring forward the 4-year periodic full actuarial review as part of this annual Budget. The annual Budget is developed over roughly a 6-month period. It takes roughly a year, sometimes a little more than that to complete the full periodic actuarial review of the Social Security Fund. I am confident that the priority areas identified in the Budget to support vital services such as health and Children's Services can be funded in the long term. For example, I fully agree and I am on the record, as this Government from taking office, that previous growth in the public sector is not sustainable. We not only need to work to continue to curb the growth, which we have done, we need to start working to reverse the growth in certain areas, while protecting the most important services. As the Deputy I am sure will agree, this work needs to be done thoughtfully and it must be done. It is not something that can be done in a year in a single Budget. It is something, given the financial challenges we have faced and largely inherited on the back of COVID, it needs to be something carefully thought through and planned. As the Deputy also knows, this Government has been having a number of not only Ministerial workshops but States Members' workshops to start understanding our future challenges to guide that piece of work.

2.10.1 Deputy J. Renouf:

The F.P.P. had 5 recommendations in their report, including: "Not using Pillar Two income for day-to-day spending, rebuilding reserves and not cutting the Social Security grants without an actuarial valuation." Does the Chief Minister intend to follow any of the F.P.P. recommendations?

Deputy L.J. Farnham:

Yes, of course we do and we are considering the F.P.P. report very carefully and currently. The F.P.P. is of huge importance and we value their advice and guidance. We will certainly be using that, not just now but well into the future.

2.10.2 Deputy P.F.C. Ozouf of St. Saviour:

Would the Chief Minister agree with the remarks of the Minister for Treasury and Resources that one of the challenges that the Government has, and indeed the Minister for Treasury and Resources said, is that the powers of the Minister for Treasury and Resources in not having their Budget brought forward to the Assembly and requiring multiple-year allocations is at the heart of the problems that he is trying to deal with in a Budget, which is the Council of Ministers and not the Minister for Treasury and Resources. Would he agree with the Minister for Treasury and Resources' views on the importance to put back those powers so that we can get some deficit reduction and deal with our black hole?

Deputy L.J. Farnham:

In principle I would. In practice I feel the Government works collaboratively when we develop the Budget together. But as somebody famous once said: “I do not mind who runs a country, put me in charge of the money and I will control everything.” There is an element of truth about that. What I am sure about is whatever we decide upon in Ministerial powers is this Assembly needs to work collectively in the future to start steering our finances in a more sustainable position.

2.10.3 Deputy P.F.C. Ozouf:

I am grateful for the Chief Minister’s response. Would he undertake and would it be helpful for a Member to bring forward a proposition to do what I asked the Minister for Treasury and Resources, which is will the Government bring forward before the next election a comprehensive plan to deal with the structural deficit in terms of options? There are only 3 ways and would he agree it is either reducing spending, increasing the economic growth or increasing taxes? That is a choice that needs to be spelt out. There is no free money. Would he agree to bring forward what those difficult decisions are going to be required by the next Assembly on the back of his discussions with Members?

Deputy L.J. Farnham:

Yes, and I am wondering if Deputy Ozouf was not listening to the Scrutiny hearing last week where we discussed some of this issue in depth. I know the Minister for Treasury and Resources is currently considering this in discussions. As I said, on the back of my original answer to Deputy Renouf, we talked about workshops as we are having as an Assembly. I committed at the Scrutiny hearing, and I will do it again now, that we will be producing what I have referred to as an end-of-term report, and that will include some proposals, if you like a blueprint, for the next Government and future Governments on how we might start to change our financial fortunes, given the challenges we face. We intend to do that in collaboration with Members. We have another States Members’ workshop planned for February where we hope we can come out with a document that we can be in broad agreement. This is not just a Government issue, this is an Assembly issue; we are all in it together and we have to find the right solutions.

2.10.4 Deputy I. Gardiner of St. Helier North:

The Chief Minister in his answer rightly stated that the review takes every 3 years when we have this standard approach. Also, the Chief Minister mentioned that it will take around a year to do a full review to understand the health of the fund. When we are taking into consideration that £20 million cut into the grant was agreed by the States Assembly a year ago, and for 2025 the Government is requesting an extra £50 million not paying into the grant, would the Minister agree that the Government had an opportunity to commence this review a year ago, that currently the Assembly would have all details to make an evidence-based decision?

Deputy L.J. Farnham:

I am not sure I would agree with that. Hindsight is of course a wonderful thing and perhaps if we could turn back the clock a year, knowing what we know now, I am sure the Minister for Social Security would have commissioned that review earlier. But I would remind Members that she has commissioned a review due by June next year to provide the next Government with comprehensive advice on the long-term future of the fund, including contribution levels, reserves, intergenerational equity or fairness among generations and of course a review of the formula. Because we know the current formula, I do not believe, is any longer fit for purpose, given the change in circumstances. That partly goes back to the original question by Deputy Renouf about how we make it sustainable in the future.

2.10.5 Deputy I. Gardiner:

Thank you to the Chief Minister. Taking into consideration that we have reduced income and we have a higher number of ageing population and most depending on the pension, did the Council of

Ministers prepare a contingency plan if the review is coming back and stating it is a dangerous strategy?

Deputy L.J. Farnham:

Sorry, I just got distracted at the last bit. Can the Deputy just repeat the last part of that question?

Deputy I. Gardiner:

Taking into consideration that we have reduced income and we have the highest depend on pension due to the increase in the ageing population, what contingency plan, if any, the Council of Ministers prepared if the review is coming back with a status that it is a dangerous strategy and it is not that healthy as it looks now?

Deputy L.J. Farnham:

All the projections and all the advice we have received right back to 2020 through 2023 full actuarial review indicates that it will not be the case. But that is one of the reasons why the Minister for Social Security has commissioned this review for June of next year, that will provide comprehensive advice in relation to contribution levels, how we use the fund, its reserves, the formula we use for supplementation ...

[10:45]

Deputy I. Gardiner:

My question was about a contingency plan, if any was prepared.

The Bailiff:

About a contingency plan, if one was prepared.

Deputy L.J. Farnham:

The contingency plan we have is the reserve itself, which is very strongly funded and there were no indications that that fund was not going to remain strong. In fact the current forecast now, which are conservative I believe, are forecasting that the fund continue to grow to £2.9 billion by the end of the Government Plan period. I hope that answers the question.

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

I did not hear from the Chief Minister a real explanation as to why he was confident that long-term spending increases in the Budget will be sufficiently funded. As Deputy Ozouf indicated, it can only be as a result of reducing spending, increasing growth or increasing taxes. Which of those is it going to be?

Deputy L.J. Farnham:

I did say - I apologise if I did not make it clear - in my original response to Deputy Renouf. I said I fully agreed with the F.P.P. I am on record as saying, as this Government is on record of acknowledging since taking office, that the levels of growth and the cost of the public sector is unsustainable and we need not only to continue working to curb the growth, we need to reverse some of the growth. Work is currently ongoing, as Members who have attended the workshops will note to review current Government structures to make them more productive to avoid a repetition. Yes, I do agree the way to make ourselves financially sustainable into the future is by increasing our income, growing the economy, examining revenue streams and reducing costs. I suggest the solution will be a blend of those but I have full confidence this Island can achieve that and continue to be financially secure into the future.

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

Would the Minister agree that holding a reserve fund does not equal a contingency plan? A contingency plan generally is a plan to deal with all eventualities or events that do not go to plan.

Deputy L.J. Farnham:

I somewhat disagree. The whole reason that we have reserves is to deal with unexpected crises and circumstances, just as we utilised our short-term cyclical reserves to deal with COVID. In relation to the Social Security Fund, a recent actuarial advice and the 2023 full actuarial review stated the fund is in an extremely strong position. It has grown since its inception way ahead of expectations. It was due to run out in 2035 and now it is projected to go through, as it is, until 2066. We do not run contingency plans for every Budget and every circumstance but I do suggest that the reserves are to deal with unexpected circumstances.

2.10.8 Deputy K.L. Moore:

If, as the Chief Minister just said, this is an unexpected crisis equal to that of COVID. Sorry to the Minister for Treasury and Resources, but that is just what he said. When will he be setting out to this Assembly and to the public the cause of that unexpected crisis and what his plan is to deal with it?

Deputy L.J. Farnham:

I did not suggest we had an unexpected crisis in any way, shape or form. We presented a Budget that balanced the books. Every Member knows, including the former Chief Minister, that we have challenges ahead, financial challenges, based on current circumstances. I was referring to the crisis which was COVID and how we dealt with it. We do not have a crisis now but we have to be mindful of the challenges coming our way and we need to work together as an Assembly to deal with them.

2.10.9 Deputy J. Renouf:

I was pleased to hear that the Chief Minister does intend to follow recommendations from the F.P.P. but I am intrigued exactly which of the 5 recommendations will the Government be following? There were 5 of them; identify which one?

Deputy L.J. Farnham:

I will do so with the greatest of pleasure when we have considered them all very carefully in the context of our Budget.

2.11 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding a Corporate Social Investment Allowance scheme (OQ.244/2025):

Will the Minister advise what consideration, if any, has been given to the introduction of a Corporate Social Investment Allowance scheme to permit companies that donate funds towards preschool education and childcare to claim a tax allowance and if no such consideration has been given, why not?

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

I thank the Deputy for his question; that is an interesting question. No consideration has been given to this specific issue, as it has not been raised with me until now. I am not aware of similar allowances operating in other jurisdictions. Most companies in Jersey, in any event, are taxed at zero per cent and, therefore, would not benefit from any new allowance. Providing an allowance, it would only benefit a relatively small number of companies that pay tax at 10 per cent or 20 per cent, would create a fiscal advantage from which many Islanders would not benefit. The 2026 Budget includes proposals to provide 15 hours of free childcare for 2 to 3 year-olds. I believe that this a more appropriate and effective way to support Islanders with the cost of childcare.

2.11.1 Deputy M.B. Andrews:

Does the Minister for Treasury and Resources not agree with me that corporate social responsibility is about providing some social good back to the community? Obviously with so many parents who are struggling with the cost of preschool education and childcare, would it not be feasible to at least explore this as a potential option to try and lower fees for parents?

Deputy M.E. Millar:

As I say, most companies would not benefit from an allowance scheme. If your tax rate is zero per cent an allowance is of no benefit. Very many companies in this Island do have excellent corporate social governance models and they do contribute to a wide range of good causes. To suggest that some people should have tax allowances because they contribute to preschool education and others who contribute to other very good causes like sport or older people or cancer charities should not get an allowance is a very difficult thing to achieve. The best way to provide support is to target it where it is most needed. Just to give big businesses tax allowances to put money on an ad hoc basis into childcare when Government is extending childcare to 2 to 3 year-olds and when we already have the N.E.F. (Nursery Education Fund), which also provides childcare to families, I do not think this is really an appropriate way forward.

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

Does the Minister not agree that childcare is not just a good cause but in fact essential infrastructure that allows parents to contribute to the economy, and that is whether any mechanisms whereby businesses could provide support to their employees with childcare, that Government should support this? Has this ever been considered?

Deputy M.E. Millar:

Businesses that pay for provision of childcare for their employees can claim a 100 per cent deduction in their accounts. It would likely result in a taxable benefit in kind on the employee, other than where the employee provides crèche facilities, which is an exempt benefit in kind. New tax allowances can only be introduced when there is a very clear evidentiary basis as to how much it would support, will provide the support. Tax allowances are not always the best way of putting money into an economy, particularly not at business level and to ask people to support. Businesses will see tax benefit if they provide childcare; that is already there. But if somebody is given something by their employer that it is only fair that that is then treated as a taxable benefit in kind.

2.11.3 Deputy P.F.C. Ozouf of St. Saviour:

Very briefly. I wonder whether the Minister would encourage Deputy Andrews to visit the offices of Jersey Finance, of which there will be a number of organisations that do provide childcare. In answering his questions with her responsibilities of financial services, would she agree that he raises a good point that raising understanding about what financial services companies need and are already doing, with or without tax allowance, would be helpful in order to progress what the Deputy is trying to do, which is everybody wants to have more better affordable childcare and financial services do do it already. Would she agree?

Deputy M.E. Millar:

I am simply not in a position to comment on what businesses financial services or otherwise do in the Island in terms of childcare. There are benefit in kind arrangements. There are rules about tax deduction. The provision of childcare is an alternative policy. It is not something that sits with Treasury. We simply provide the funding for it if it is what the Assembly wants to do. But can I just go back to the theme of the debate? Where is the money coming from? If you want to provide more childcare find the funding source. Government is working on expanding childcare. We are working on a Budget that balances the books and provides that childcare. We cannot pluck things out of the

hat without very careful consideration. Do we put money into childcare or do we take money out of reserves or do we put up taxes? These are the hard decisions that this Assembly has got to make.

2.11.4 Deputy P.F.C. Ozouf:

Would a meeting with Jersey Finance to explain those matters be helpful to the Deputy in the Minister for Treasury and Resources' view?

Deputy M.E. Millar:

I am sure Jersey Finance would be happy to speak to the Deputy or indeed any Deputy who wants to go and discuss with them the challenges that the financial services industry are facing like other businesses in the Island, even people working in the financial services. I am quite sure Jersey Finance will tell you that that is a frequent theme that they find, even in financial services people are concerned about the cost of childcare and the cost of housing. Those are issues across the Island, regardless of industry. I am very sure Jersey Finance would be happy to discuss that. But I think we have to reflect that those are issues affecting all sectors of our community.

The Bailiff:

Final supplementary, Deputy Andrews.

Deputy M.B. Andrews:

No, Sir.

The Bailiff:

Thank you. Thank you, Minister. Question 12 Deputy Warr will put to the Minister for Health and Social Services. Deputy Warr.

Deputy D.J. Warr:

I am conscious of the time as well at 10.57 with 3 minutes to go, so ...

The Bailiff:

We will let you know when we are about to stop.

2.12 Deputy D.J. Warr of St. Helier South of the Minister for Health and Social Services regarding prescribing medicinal cannabis for Islanders with serious mental health problems (OQ.254/2025):

Further to concerns raised this year by the Director of Mental Health regarding the practices of prescribing medicinal cannabis for Islanders with serious mental health problems and given that, according to the Cannabis-Based Products for Medicinal Use Dispensing Audit, 6 per cent of Jersey's working population received a prescription compared with 0.05 per cent in England, will the Minister explain what action he is taking in this area to protect Islanders' mental health?

The Bailiff:

Minister, can you hear me?

Deputy T.J.A Binet of St. Saviour (The Minister for Health and Social Services):

Sorry, Sir, I left in my microphone. We are currently taking a number of steps to ensure the protection of Islanders' mental health in this regard. Firstly, Health and Care Jersey have recently introduced the digitised reporting of dispensing data, allowing for the first-time reporting on data up to the previous quarter. This enables an up-to-date understanding of prescribing levels and trends. We are also engaging with the primary care body and cannabis prescribers to work towards digitally connecting patient records between the 2 parties, which, if completed, will be much more efficient

than the current arrangement of the prescriber having individually to contact the patient's G.P. (general practitioner) to request the relevant patient information. I think the current situation demonstrates very clearly the need for the Assembly to support the funding required for health digitisation at the forthcoming Budget. Finally, I have also determined that medical-cannabis prescribing should be further controlled in law and work is currently underway to define these controls.

The Bailiff:

Thank you. The clocks in here are wrong of course and mine is more wrong than anyone else's.

2.12.1 Deputy D.J. Warr:

Yes, certainly, I will go ahead with this one. This is in connection with an answer to my Written Question 391/2025. The Minister provided a figure for 2024 prescriptions, of 53,477 prescriptions for 4,000 patients. This equates to 13.4 prescriptions per patient. This is over 100 per cent increase year on year. Could the Minister explain that differential?

The Bailiff:

We are going to pause now and invite Members to stand in remembrance of those who gave their lives in conflict so we can enjoy the freedoms we enjoy today.

[11:00]

[2 minutes silence]

The Bailiff:

Thank you, Members.

Deputy T.J.A. Binet:

Sorry to be a nuisance, Sir. I think it would be helpful, certainly for me and perhaps for Members, if the Deputy would be kind enough to read that question again so that I can provide an accurate answer.

The Bailiff:

Yes, of course.

Deputy D.J. Warr:

Certainly, Sir. It was a response to my Written Question 391/2025 for the number of medicinal cannabis patients in 2024. What I wanted to understand was the figure he gave in his answer was 53,477 prescriptions to 4,000 patients. That equates to 13.4 prescriptions per patient. The previous year that was 5.8 prescriptions per patient and the previous year before that was 4.3 prescriptions per patient. Can the Minister just explain why we have seen this extraordinary increase in prescriptions per patient?

Deputy T.J.A. Binet:

It will probably come as no surprise to the Deputy that I have not really got a great deal of data to be able to back up what I may say. I think that data gathering is going to be crucial for us to resolve what I think has become something of a problem. I do not think I am sharing any secrets or this will come as a surprise to anybody, but we find ourselves in the situation where we have legalised medical cannabis without doing ... well, a previous Assembly has legalised medical cannabis before doing the correct amount of background work. I am led to believe that we are in a situation where somebody who wants or requires medical cannabis can go around to various prescribers during the course of a month and get a month's supply from those various suppliers. It is a very unhealthy situation indeed and that is why we will work at great speed to put that straight.

2.12.2 Deputy M. Tadier of St. Brelade:

Could I ask the Minister: is the prescription of cannabis any different to other drugs like opioids and is there anything stopping patients from going around to multiple doctors, G.P.s, to get multiple opioids or other prescription tablets issued to them? Is it just a problem that affects cannabis medication?

Deputy T.J.A. Binet:

To the best of my knowledge, this is confined to cannabis. As I say, I can certainly check that up. I do not want to speak out of turn, but that is my understanding.

2.12.3 Deputy M. Tadier:

I am not sure how that would be the case. I am sure I could go to multiple G.P.s and get different prescriptions for different drugs, but ...

Deputy T.J.A. Binet:

I do not ...

Deputy M. Tadier:

... that is not my question, though.

The Bailiff:

What is your question, Deputy Tadier?

Deputy M. Tadier:

Sorry, there is a slight delay. The question really is: does the Minister accept that medicinal cannabis does have a place in the topography of medication in Jersey, that it is an effective medication for many hundreds of people in the Island for different conditions, and that a framework for the responsible prescribing of the drug is going to be welcome?

Deputy T.J.A. Binet:

Yes, the latter part I can agree with wholeheartedly. I just think I probably need to correct the assertion that you can go to lots of G.P.s and get re-prescribed the same thing. This is probably too complex to go into here, but the G.P.s have a patient record system where all of the G.P.s are signed up to and they have all the right protocols in place to share that information between themselves. When they come to share it with third parties, the governance and audit requirements change quite dramatically. That is the work that we are currently undertaking at the moment. It runs a lot more complicated than certainly I expected and there is a lot of work that needs to be done. But I just want to assure Members that we are doing that work and we have engaged with a lot of very capable people in order to undertake it. So hopefully we can make very real progress in the next 12 months.

The Bailiff:

Deputy Warr, final supplementary.

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

Sorry, Sir, I did have my light on.

The Bailiff:

I am sorry, Deputy Coles. Deputy Coles.

2.12.4 Deputy T.A. Coles:

Can the Minister confirm what data is collected in response to the reasons why cannabis prescriptions are being issued?

Deputy T.J.A. Binet:

Not to my knowledge. I am sure the data exists but whether that can be centralised at this point in time, I doubt it.

2.12.5 Deputy T.A. Coles:

Does the Minister agree that this data might be crucial before deciding next steps and any sort of regulation around prescribing of cannabis so we understand the reasons why people are being prescribed in the first instance?

Deputy T.J.A. Binet:

Well, as I say, the emphasis on our part is making sure we have all the right structures in place to gather all the data that we need. That is where our focus is at the moment. I certainly hope that helps to answer the question.

2.12.6 Deputy D.J. Warr:

I am told that people who are getting prescriptions because of the expense are getting a prescription and then selling half of that to somebody else in order to raise funds for their prescriptions. Can the Minister confirm if this is happening?

Deputy T.J.A. Binet:

I have no direct evidence of that, but in the same way as that information has reached Deputy Warr, it has also reached me. I do not mind saying I think we are in a very unsatisfactory place at the moment, and I do not mind saying either I do not think that is through any fault of ours. However, I do want Members to rest assured that, as I said before, we have some really good people working on this and we are working at speed to try and resolve the problem, because it really is a problem.

2.13 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding his decision not to extend the clinical component grant to students studying in key skill-shortage areas (OQ.249/2025):

Further to his response to Written Question 401/2025 and his decision not to extend the clinical component grant to students studying in a key skills shortage area such as paramedics, occupational, pharmacy, physiotherapy, will the Minister advise what assessment, if any, he has made of the impact this decision may have on Jersey's ability to train and retain home-grown professionals in those fields?

Deputy R.J. Ward of St. Helier Central (The Minister for Education and Lifelong Learning):

I thank the Deputy for her question. The original proposition to extend the clinical grant to more subjects did not include any evidence to show the named subjects are areas of skills shortage or that they are the most urgent skills gaps on the Island. As amended, I was required to review the scope of the clinical courses allowance for related subjects, including the ones mentioned in the question. The decision is not to rule out including other subjects in the future for an additional grant, but the review found that adding a few subjects without proper analysis will not solve the issue of extra costs. It also found a fixed grant would not necessarily give the right level of support because extra costs vary a lot between subjects.

2.13.1 Deputy I. Gardiner:

The Minister mentioned that the flat rate could lead to either under or over-funding for some students. But this is true almost for every element of our higher education grant system, including tuition and maintenance grant. Why then is this the only area where the concern has been used as the reason for inaction when it directly affects professionals that the Island urgently needs to train and retain?

Deputy R.J. Ward:

First of all, P.12 was a number of actions to be taken, I think on my second week in the role, that was passed on to me and had to be reviewed so that I could make the decisions appropriately. I think we are equating things that are not equitable in terms of paying student fees, paying maintenance grants, et cetera, with additional funding for clinical costs across a number of subjects. I would also say it is unclear on what basis the conclusions have been reached that the subjects listed represent key shortage skills. In 2024-25 there were 2,569 vacancies advertised across professional, scientific and technical activities, human health and social work activities; 2 of those were paramedic titles, for example. So we have looked at key skills and I have made the decision that we will, once we gather specific data, try and make specific payment to support as appropriate, as the Deputy suggests, and I agree with that, so we get the best skills on the Island and keep those skills here.

2.13.2 Deputy J. Renouf of St. Brelade:

Can I clarify from what the Minister has said and the example he just gave that he does not think that there are currently skills shortages in any of the listed items in this question?

Deputy R.J. Ward:

No. What I am saying is we do not have the clear data to be making a specific payment to specific areas. Skills Jersey has worked closely with the Economy team and spoken directly to industry and that has produced a whole range of specific skills shortages for the Island, which we are trying to address. So the other thing is around these types of areas, podiatry, et cetera, a reference is made to N.H.S. (National Health Service) payments that are made. They are very different than our students because we are not part of that N.H.S. payment. One of the things to look at in the future, and I would want to explore with the Minister for Health and Social Services and others, is whether there are specific health courses. The element of education that is paid for in Jersey ... so tuition fees and maintenance grants are paid for in Jersey, thus not putting our students into £50,000 or £60,000 worth of debt. Is there a need for Health to support specific health needs as we move forward? I would be open to that but at the moment that is not the best way to spend a blanket amount of money.

2.13.3 Deputy J. Renouf:

In his answer, the Minister referred, I think, to consultation he had done with Skills Jersey and that they are to produce a list where there were skills shortages. Can he, therefore, confirm whether any of the ones listed in this question were on that list that came out of his consultation?

Deputy R.J. Ward:

No, I do not think they were, but let us not have a word of absolutes here. We want to support our health service as best as possible in funding the right type of education. If additional grants are needed to support people in those clinical areas, we are looking at the best way to support that. I think we need to move it away from the essential skills gap and look at the continuing professional development for this Island, particularly as we may in the end build a new hospital and have new facilities for our people to work in. So that would be important, putting money in the right place at the right time. Just because they are not recognised on a skills shortage list does not mean we do not do anything about it, but we have to do it ... and I have to say I have tried to do this throughout the response to P.12, to take a measured, considered approach and make the changes gradually over time in the appropriate areas, and I think that is what I have done.

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

The Minister may have just alluded to this, but I wondered whether, where a subject is not on the list, is there scope for individuals to appeal directly to the Minister or for Ministerial discretion in this area where they can demonstrate that there is a shortage of key skills locally?

Deputy R.J. Ward:

Yes, and I say to the Deputy that is exactly the point. We have to look around our economy and around our skills, particularly in our service skills, as to whether there does arise a need and what we can do to support that.

[11:15]

I will remind the Assembly that we do pay tuition fees and maintenance here. That is a significant difference to training in the U.K., where you will end up £50,000, £60,000, £70,000 in debt before you even start your career. So we do have a good starting point. Clinical funding is paid to some areas already. If we can extend and use that limited pot of money - and we have to be realistic about what we are spending for the right areas - that would be great. I do think that if they are specific health things like in the N.H.S., it is the N.H.S. that pay that chunk of it and it is the education element in the U.K. - I do not know what they call it now - that offer the grants and loans. We will pay the education part and working together I think that is the best way forward to support what we need on the Island in those specific areas.

2.13.5 Deputy L.M.C. Doublet:

Does the Minister have any examples of any recent appeals, if he is able to give those? Where there are perhaps multiple appeals that are in the same area, is the policy able to flex to take into account any patterns that emerge that the Minister identifies?

Deputy R.J. Ward:

Yes, as the Deputy will know from her time, policy is always difficult to flex. There are not huge numbers of appeals that come forward in this area and we will try to look at them appropriately. However, I think whenever one bends the flex in the policy, one opens up ... I see the Constable of Grouville mouthing the words “can of worms” and I am quite coy, but he is right. But what we want to do, and with the way in which we allocate student finance now, it is a lot easier to track where people are. So we can be much more focused on where those areas might be needed. But as I say, we have to look specifically at what those skills are and what the needs are. Just one thing I would say, for example. A blanket payment does not work because it may well be that one person with a clinical requirement is to travel 50 miles and do a certain number of things for a number of hours, which is very expensive. Others may be working and experienced within the hospital in which they are training, which is a lot easier and a lot cheaper. One blanket payment will not work, so we have to be very specific in what we do.

2.13.6 Deputy I. Gardiner:

Would the Minister agree that while a perfect formula may take time to develop, an interim allowance could still be introduced even on a modest or pilot basis, and if he discussed with the Minister for Health and Social Services potential co-funding or jointly designed clinical placement support scheme for those related professionals to avoid penalising students in these essential areas once their work of collecting evidence is continued?

Deputy R.J. Ward:

No, I do not agree that blanket payments would be the right thing to do in that way. I do not agree with the word “penalise” either. We are not penalising anybody. We are funding tuition fees. We are funding maintenance. There are clinical components paid for some things. However, I will be more than happy to speak to the Minister for Health and Social Services to look at if there are areas in which we can work together where there is a specific need on the Island, particularly when people are coming back to the Island with those skills. If we can support that, of course. But blanket payments simply do not work. They become, I think, a token gesture towards making things better and they do not solve the problem in the long term. We need to start solving problems in the long term.

2.14 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity the Chief Minister regarding the ‘[Investing in Jersey: 2026-2050](#)’ programme (OQ.246/2025):

Will the Chief Minister advise what specific investments will be made via the Jersey Capital Investment Fund under the Investing in Jersey 2026-2050 programme in order to deliver the initial focus of affordable family housing across all ages and income levels?

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

Family-sized affordable housing is the cornerstone of Jersey’s long-term prosperity, which is why it has been prioritised within the C.S.P. (Common Strategic Policy) and the Investing in Jersey programme 2026-2050. While the Jersey Capital Investment Fund is not currently anticipated to make direct investments into housing, it will play a vital role in enabling housing developments by supporting essential infrastructure projects. For example, this includes investment in such areas as drainage systems, something we have neglected for many years but I am pleased to say work is progressing rapidly. That will lead to the delivery of sustainable housing and affordable housing. A range of other funding mechanisms are probably better suited to support direct investment in housing. These include, for example, the Housing Development Fund, the Dwelling Houses Loan Fund and extended financing support through Andium Homes and the States of Jersey Development Company. In addition, extensions to the First Step scheme and other targeted initiatives are currently being considered. The scale and structure of these investments are being developed as part of the broader commitment to enhancing housing affordability and expanding access to affordable family housing, as the Deputy asked, across all ages and incomes.

2.14.1 Deputy H.L. Jeune:

Could I just confirm with the Chief Minister that ... and I believe he said it in his answer but if he could confirm that Andium Homes, States of Jersey Development Company or private developers would or would not have access to any of the Capital Investment Fund when it is set up?

Deputy L.J. Farnham:

I think that is a difficult question to answer because first we need the States Assembly approval in the Budget to develop the fund. We are working on how that fund will operate, so it is a difficult question to answer. I am keen that the Investing in Jersey programme and the fund helps deliver housing, of course. The investment by the fund in infrastructure for drainage will, of course, impact and support the private sector as well as Andium Homes and S.o.J.D.C. (States of Jersey Development Company).

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

As the Chief Minister mentioned the First Step scheme and given the success of it but the absence of funding for it next year, how will the Chief Minister work with the Minister for Housing to ensure this Capital Investment Fund supports similar affordability opportunities for first-time buyers?

Deputy L.J. Farnham:

As I said, it is not envisaged that the Capital Investment Fund ... that is more of an infrastructure fund aimed at protecting ring-fenced money, capital for our essential infrastructure, but rather a range of other funding mechanisms such as the very successful First Step scheme. But I know the Minister for Housing and his officials are considering other initiatives that will help get families into family-sized affordable housing.

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

I think the original questioner might be confused by the answer because the Investing in Jersey programme says under the purpose of the Capital Investment Fund that it will ring-fence the required

annual funding for housing and that is noted separate to infrastructure such as drains and regeneration. The final sentence on that page says it will support said drainage infrastructure and affordable housing delivery. Could again the Chief Minister then just confirm for the avoidance of doubt that perhaps this is not the correct and most up-to-date version of the purpose of the fund that Members will debate during the Budget?

Deputy L.J. Farnham:

I can confirm that is the correct and up-to-date version and I think it can be read in different ways. The fund will support the provision of new housing, predominantly by investing in infrastructure projects such as drainage. As I said before, we have not ruled out it being used for more direct funding for housing, but we think that is not currently anticipated in the current thinking because we think there are better mechanisms for doing that such as the First Step scheme and other initiatives which are currently being developed.

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

Does the Chief Minister agree with me that, while the existing schemes that help first-time buyers and those who wish to rent are excellent schemes, we are not doing enough to help support struggling families who already own sometimes very modest properties that they have outgrown and because they are already on the property ladder they are not able to access the schemes? What will be done to help those families, please?

Deputy L.J. Farnham:

I completely agree. We need to do more. We would like to be doing more but, of course, we are constrained by the money available to us to put into those schemes. Members are fully aware of the challenges we face currently. That is why the Minister for Housing and his team are working on other initiatives that build upon the First Step scheme. We will and I hope this Assembly in the years ahead will continue to prioritise how we fund those schemes because, as I say, they are an important investment and the cornerstone of Jersey's long-term prosperity. Members will have noticed from the media yesterday - and I welcome the debate and the work of the new Youth Assembly - it is still the number one concern for young people in Jersey. We have to work harder to turn that around and encourage young people to stay here.

2.14.5 Deputy L.M.C. Doublet:

I thank the Chief Minister for his answer. Is there a timeline available for the new work in this area, please?

Deputy L.J. Farnham:

That is a question I will have to check with the Minister for Housing on what their current timelines are looking like for these initiatives. But I would reiterate it is a key priority for this Assembly and the Government and we need to move faster.

2.14.9 Deputy P.F.C. Ozouf of St. Saviour:

In reference to this stream of questions on housing supply and the issue that Islanders are facing, the F.P.P. on page 23, section 4.2, says: "Policy missteps may worsen housing supply or delay stabilisation." Question 25 says: "The second home surcharge has an unclear impact on affordability. There is no evidence it has materially improved access for first-time buyers." He said he agreed with everything the F.P.P. said. Does he agree with this disconnected policy, it seems, by our economic advisers like Sir Jon Cunliffe?

Deputy L.J. Farnham:

Firstly, I did not say I agreed with everything the F.P.P. said. I welcome their valuable advice. There is a subtle difference. I presume the Deputy is talking about the stamp duty surcharge.

Deputy P.F.C. Ozouf:

Yes.

Deputy L.J. Farnham:

Yes. Well, I supported in the Budget a slight reduction in that for second homes and, as I said, there is no real evidence that it is helping or it is not helping, but that is something we need to find out more about. We like to try and make decisions based on evidence, but the key priority is delivering more affordable homes so young people can get into affordable family homes, stay in Jersey and have families.

2.14.10 Deputy P.F.C. Ozouf:

The question is about housing and the capital fund that the Deputy asked. Can he absolutely say that he is not going to be a Chief Minister putting forward a plan that is going to be relying upon States' resources, as heard by the Minister for Treasury and Resources, and he said scarce resources, as opposed to what should be happening, which is private capital in not only first-time buyers not requiring States' subsidy but the market operating and also private capital in the private sector rental to avoid further drains on the public finances? Does he agree on the importance of private capital and do everything in this Budget to do that?

Deputy L.J. Farnham:

Of course, I agree that private capital and private housing is absolutely essential, but I also understand that the housing market over the years when we have not had surcharges on second properties has not really worked for young people. So we need to bear that in mind, and the action we need to take we need to make sure first and foremost will benefit first and foremost young Islanders or Islanders across all ages and incomes, as the Deputy asked, in getting into affordable family housing. Second homes for people is important. It is an important investment into the rental sector, but for me that comes slightly behind young people getting into family homes.

2.14.11 Deputy H.L. Jeune:

Bringing the question back to the Capital Investment Fund specifically, we have heard in our Budget hearings with 2 of our Ministers that there is focus on projects in the future coming out of the Capital Investment Fund. I would like to hear from the Chief Minister if he could advise how access to the funding will be prioritised against other priorities. We have also heard from the Minister for Education and Lifelong Learning needing some of that funding in the future, so how will it be prioritised and will this information be available to us ahead of any principle vote in the Budget?

Deputy L.J. Farnham:

It is envisaged that the Capital Investment Fund will predominantly ring-fence and support essential capital projects. Having said that, it is not ruled out it might not be used for more direct investment; for example, in housing or private sector housing. I need an update from the Treasury. They are working on it. I would like to see the draft legislation or part of it at least available before the Budget debate, but if the fund is approved, then shortly afterwards in the first quarter of next year that piece of legislation will come forward. At that time, we will have worked out and considered how that fund will start the detail of running that fund.

[11:30]

Of course, that will be part of the important States Member meeting we are due to have in February because I would like to seek States Members' views on that. Having said that, once the fund is established and operational, it will be within the means of this Assembly as time goes by to amend how it is used in line with how circumstances demand at that time.

2.15 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Housing regarding his assessment that the housing market remains fragile (OQ.252/2025):

Further to the latest House Price Index, which stated that property turnover remained about 20 per cent below the pre-pandemic levels with a continuing fall in the private rental stock, will the Minister advise whether in his assessment the housing market remains fragile and that measures such as the second home stamp duty surcharge, combined with high interest costs and uncertainty, risk constraining recovery of the market?

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

Listening to Deputy Ozouf's question I wonder if he read the same House Price Index report to me, because the one that I read shows a 26 per cent increase in turnover since the previous quarter, a 55 per cent increase since the same quarter last year. It also does not show a fall in private rental stock, let alone a continued fall, which is an unsubstantiated claim that the Deputy has previously made in this Assembly. What it currently shows is an increase in turnover without drastic increases in prices, and I think that is exactly the kind of recovery we wish to see. What I do not want to see is a return to the old days where while turnover was high it was combined with completely unsustainable price increases, which left so many young people seeing home ownership move further and further out of reach for them and where their only chances of living independently involved paying over half of their income towards a buy-to-let investor's mortgage instead. I believe that under my agenda we are heading in the right direction and we should stay on track.

2.15.1 Deputy P.F.C. Ozouf:

The Housing Price Index confirms that the mixed adjusted average price of a dwelling has fallen by 12 per cent over the last year. That is the sharpest annual drop since 2002. A 3-bedroom house was originally 900 and it is down to 763; turnover is down and there is widespread negative equity with those individuals. In terms of real-terms fall, it has been 26 per cent. Can I just ask the Minister how far does he want the housing market to go? Because it is in free fall. We have never seen such numbers ever.

Deputy S.Y. Mézec:

Again, I continue to wonder what parallel universe Deputy Ozouf lives in because the House Price Index has just shown that turnover is on its way up, which is the direction that apparently he wishes to see, but it is not now coming with drastic price increases. Yes, there was a drastic fall last year. That is what some might describe as a correction after years of completely unsustainable growth, but that has now stabilised. We are heading in the right direction.

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

Does the Minister consider that comparing housing market activity to immediately pre-pandemic levels may be comparing to an unsustainable period in housing turnover and does he note that the same housing report shows that our Housing Market Activity Index, H.M.A.I., is equal to 2016, which is not that long ago and may represent a more sustainable period in our market?

Deputy S.Y. Mézec:

That was a very good question and one I am struggling to come up with a concise answer to. He might have to explain it in other terms for me to give a better answer.

Deputy A.F. Curtis:

I will have another go. Does the Minister think that housing market activity is at a good position and when it compares to the long-term trends we are in a more sustainable position than comparing to the very high volume turnover pre-pandemic?

Deputy S.Y. Mézec:

That sounds like a very sensible point and what I would say is that turnover is just one piece of the puzzle here. There is a lot more to it than just whether transactions are low or whether they are higher. It depends on a whole wide variety of factors. Where is that turnover focused? Is it investor led? Is it first-time buyer led? What is happening to prices at the same time? Using that as the sole metric of whether things are in a healthy state or not I think is flawed. So I welcome his question now that I have understood it.

2.15.3 Deputy P.F.C. Ozouf:

There is no escaping the fact that house prices are 26 per cent lower in real terms, and I have done my mathematics. I do not live in a parallel universe. I know constituents who are now unable to sell their properties for anything like what they expected. Yes, we saw that there have been unsustainable increases in prices. I am just asking kindly if the Minister is concerned with the plummeting house prices; 26 per cent in real terms is enormous. Just how far is it going to go down before he is going to do something to address my constituents' concern about their inability to sell their houses with negative equity? I remind him about the actual increases in interest rates, which have seen the monthly payments for home owners in Jersey go up dramatically. Does he not recognise in any way that there is a problem in our housing market?

Deputy S.Y. Mézec:

What an insulting question to ask at the end as he knows the entire foundation of my platform as Minister for Housing has been to recognise the reality of hurt and pain caused to our community by our housing crisis for so many years under Governments including which he served in that did not take the necessary action to resolve. That is the difference in this Government thankfully. What he said in that question about plummeting prices is now out of date. That would have been correct to have said last year, but the latest House Price Index shows that that has stabilised. I absolutely appreciate that a fall in house prices causes difficulties for some people in some situations, as it causes opportunities for other people in other situations. Now that that seems to have tailed off and is now stabilised, that provides us better foundations for moving forward. I suspect that if we went by some of the policy suggestions that this Deputy has proposed in the past we would see disruption to that recovery that would lead us to going back to that unsustainable position in the past. I would oppose that if he seeks to do so.

3. Questions to Ministers without notice - The Minister for Sustainable Economic Development

The Bailiff:

That completes that period of questions. We now move to Oral Questions without notice. The first period of questions are for the Minister for Sustainable Economic Development and the first question is from Deputy Jeune.

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

Will the Minister advise what consideration his department has given to supporting small and local businesses affected by major roadworks and infrastructure projects? Has the Minister met with or does he intend to meet with businesses impacted by current or planned road closures to understand the challenges they face and how the Government could assist?

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

I thank the Deputy for her question. This is, I think, a really important question and I have engaged with some businesses who have experienced problems with regard to roadworks. I think it is an age-old question, it is not a new one, but I have not engaged with the department or other departments, I

have to say. I think it is something I would be very pleased to speak with the Minister for Infrastructure about how we can work to make a more reasonable situation for businesses that are affected by long-term roadworks. For instance, back in pre-COVID, about 2019, I know one business where at the end of the day the owner or the principal person in that business closed down and left because of roadworks that went on for 6 months outside their business. This was a hospitality business and it could not withstand that sort of pressure. While I appreciate it is very difficult because I do not think the Government is in a position to replace lost earnings, but maybe there are some other mechanisms whereby businesses can be compensated in some way. I think it is something that the Government does need to look at.

3.1.1 Deputy H.L. Jeune:

That is very comforting to hear that the Minister sees that this is something to be looked at. Could I just get the Minister's confirmation that that will be something that he will be looking at shortly, before the end of this term, and to accept that it is his department's responsibility to step up in some kind of practical or financial support and to look into this in the future?

Deputy K.F. Morel:

Absolutely, I can confirm that and I would be very pleased to play a role in ensuring that we find a solution, as the Deputy says, this side of the elections.

3.2 Deputy J. Renouf of St. Brelade:

I have asked a series of written questions concerning the planning obligation agreements regarding the operation of Strive, which his department was supposed to monitor. The P.O.A. (planning obligation agreements) said that 4,044 hours of free or supported sessions should be provided to community groups each year. Taking the year 2022 as an example, in response to Written Question 348, I was told there was no data. In response to a follow-up Written Question 380, a figure of 21,872 was provided. I was concerned by this answer and rather than ask another Written Question sought clarification from his chief officer, who provided a very different figure of 3,617. Then Written Question 405 gave yet another figure of 3,039. In other words, 4 separate answers to the same question. Can the Minister explain this fiasco and perhaps identify which of the answers provided is the right one?

Deputy K.F. Morel:

I thank the Deputy for his question. I cannot explain why that is the case and I certainly would not call it a fiasco because we are reporting on numbers of one particular business. I think fiasco needs somewhat of a larger situation to be occurring. But I do appreciate what the Deputy is saying about the inconsistency in the answers and I will revert to my officers to understand why they have been providing inconsistent answers.

3.2.1 Deputy J. Renouf:

Does the Minister accept that such a contradictory sequence of answers might undermine trust in his department and make it very difficult to understand which answers we should take as being the correct ones?

Deputy K.F. Morel:

I wish never to undermine trust in my department or any other department and so obviously inconsistent answers do not help with regard to trust. But I must say that these are obviously figures that come from a third party. They are not figures generated by government and so there can be issues with the passing on of figures from the third party to government. I think as the Deputy himself has identified, reporting on those figures was not always consistent in terms of being provided. So I think there has probably been some retrospective looking for answers. This is my speculation but this is likely, I think, to have occurred. So I will take that back to officers. I will remind them that it

is important to make sure that they are consistent in their answers and that obviously the reporting in this situation continues going forward in an appropriate manner.

3.3 Deputy M. Tadier of St. Brelade:

This is a follow-up question to a Written Question that I put this week about the café at the Elizabeth Terminal. Because I do not feel it has been answered completely explicitly, could I just ask for further clarification as to whether or not the current restaurant facility is open to non-travelling members of the public, so those who are land side, and if not, why not? Will there be steps in the future to make sure that those who are not travelling can go and use the pub facilities, the restaurant, the café facilities without needing to go through security if they are not travelling?

Deputy K.F. Morel:

I thank the Deputy for his question. For the Deputy's information as he cannot see, I do not have the Written Question in front of me, but going from memory as to the answer that was provided, I recall the answer saying that vending machines were provided. So access was not provided to land side passengers. I, like I believe the Deputy could well be, am concerned about this. It is something that I had a family conversation about just a couple of weeks ago because we were surprised that access to the café from passengers who were not travelling was limited. Obviously, these are decisions made by Ports of Jersey and the port management, the harbourmaster, et cetera, they are not decisions made by Government. But I will seek to understand why it is the case that it seems that land side passengers are not able to access the café. I do not know the answer to that, but I will seek to find out.

3.3.1 Deputy M. Tadier:

Does the Minister accept that vending machines are not an acceptable substitute for a café restaurant facility? Anyway, when I went there last time the vending machines were switched off. One could not even get a coffee. I welcome his sympathy in this area. Would he take steps to see whether or not the café could in short order be made available to the non-travelling public? It used to be. I think people used to go up there for Sunday lunch or drinks after work. It seems that there could be some potential for the wider economy if that were to be the case again.

Deputy K.F. Morel:

Yes, I thank the Deputy and I will look into those matters. Thinking the situation through, I can understand that one of the issues for the café owner and Ports of Jersey would be that it is difficult to divide a café in 2, per se, and so have one area for the land side and one area for the travelling side, the sea side. I imagine it is as a result of that. I imagine that Ports of Jersey have been trying to enhance the customer experience for people travelling, but at the same time it is very difficult to build a wall down the middle of the café and divide it in 2 because obviously you cannot have a mixing of people who have passed through security with people who are not travelling and have not passed through security.

[11:45]

But I have the same concerns as the Deputy so I will definitely take that forward.

3.4 Deputy J. Renouf:

It is always good to have a reserved question. The Minister has stated that he is keen for the economy to feature more in planning decision-making and to achieve this he has asked for his department to be consulted regarding planning applications. Could I therefore ask when his department puts in comments to planning applications are those the impartial views of expert civil servants or are they influenced by the Minister, either directly or indirectly?

Deputy K.F. Morel:

It is very difficult to say whether indirectly because there could be something I have said 3 weeks ago that an officer may or may not pick up on. So I cannot answer with regard to the indirectly part of it. From the directly side, I think it is the case that where I wish, as Minister, to write, I will write, and where officers write, they will write. So, for instance, I know there was an issue of a letter from one of the Department of the Economy officers which turned up in the planning pack for, I believe, the Planning Committee. This was a few weeks ago. I did not know that letter. I did not know it was there. So I think in the main it is officers writing and where I wish to write, I do. I have myself gone to the Planning Committee to make representations. I think that is entirely appropriate. While I cannot say I have not seen every officer letter, I do not think I have seen the vast majority of them before they are sent.

3.4.1 Deputy J. Renouf:

I am reassured to hear that and with the Infrastructure Department, for example, comment on drains, one expects that to be the view of officers, not the view of the Minister. It is interesting that he referenced the recent appearance of a letter in regard to the recent application by Strive. There appeared to be 2 different views being expressed in the information that went to the Planning Committee. Can he explain how this came to be?

Deputy K.F. Morel:

It is very difficult for me to comment on other people's correspondence, but I do not believe the 2 different views. I think you had one view which was much more nuanced and one view which was not. I think that is all that was there, but I think both views at the end of the day came to similar conclusions, that economic benefit was to be gained from that development. I think there was an issue with ... to my understanding, the officers did not know ... the officer that wrote the letter - well, not letter, it was an email - was not, I believe, informed that it would be part of the public planning pack. I think that is an issue because officers should know if an email correspondence that they send to a colleague is going to be made public or not through that sort of forum. So I think there is an issue around process in that regard.

3.5 Deputy M. Tadier:

Again, in my 2 Written Questions this week I asked the Minister to confirm whether the restaurants at the harbour and at the airport accepted cash and the answer confirmed that they did not. Does the Minister think that it would be desirable in an ideal world for tourists in particular who come to Jersey and who are flying back home, going back home on the boat, should be able to spend Jersey pound notes to maybe buy their last coffee, bag of potatoes, et cetera, at the airport and to not do that, allow them that, is a restriction on choice and potentially some lost revenue for those who might well want to spend their Jersey cash in the local economy before they leave?

Deputy K.F. Morel:

I think the Deputy and I have quite similar feelings on the issue of cash but are thwarted often in terms of practicality and cost to the provider or the service provider. So while I am open to the Deputy having a conversation with Ports of Jersey about whether they accept cash or not, and I would be happy to be part of that conversation, I think it does have to be balanced off with the practicality and the costs ultimately to the business. Interestingly, I am not convinced that tourists to Jersey necessarily use vast amounts of cash, though I do not have any data. I imagine that most people when travelling now tend to use cards, but that may be correct or incorrect. I do not know whether that is speculation.

3.5.1 Deputy M. Tadier:

I am reassured, I suppose, in the sense that the Minister might have similar views to me. I am very much pro-choice in this matter and I am very much of the belief that either businesses choose or the public choose. If the public were to choose, they need to have their rights to use cash protected.

Could the Minister confirm whether that is his ultimate vision for the economy, whether he ultimately comes down on the side of businesses, saying that businesses should choose, which obviously includes choosing not to allow their customers to pay with cash, or should the choice fall down on the other side, that the right to use cash should be somehow protected?

Deputy K.F. Morel:

I think that there should be a right to use cash. This is not Government policy; this is personal thinking. But I am somewhat aware of the fact that cash costs a lot to process. If we are to ensure that there is a right to use cash, then somehow the cost of it would need to be agreed if not regulated via the banking system. Because I think that is where much of the cost of cash comes from. When it comes to public service providers, I think there is a greater onus or should be perhaps a greater requirement for them to accept cash because they are public service providers. So it is something of an answer but not an answer. I have huge sympathy with the idea that there should be a right to have cash, but I fear that the practicalities are running away from us quicker than the principle.

4. Questions to Ministers without notice - The Minister for Treasury and Resources

The Bailiff:

Thank you, Minister. That brings that period of questions to an end. We now move on to the second period of questions for the Minister for Treasury and Resources. The first question is from Deputy Jeune.

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

Will the Minister for Treasury and Resources advise what she considers to be a sustainable level of borrowing for the Government of Jersey and how this is determined in the context of current fiscal forecasts and capital investment plans?

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

I think the basic answer to that question is a sustainable level of borrowing is a level of borrowing that you can afford. We are not in the business of trying to increase borrowing more than we absolutely have to. If we do have to borrow for some projects, we will do, but we will do it in a very careful and measured way. I would remind everybody that while Jersey does have some borrowing and some of that borrowing is relatively recently, it is still very much lower than many other countries in the world at about 18 per cent of G.V.A. (gross value added). According to the television this morning, the U.K. borrowing is almost 100 per cent of G.V.A. Their interest costs are part of the reason why they are facing the difficulties they are, among many others. There is always a place for borrowing. We would rather not, but it will be done carefully and in a very considered manner.

4.1.1 Deputy H.L. Jeune:

I thank the Minister for her answer. If borrowing is to increase in a considerate manner, as the Minister has mentioned, how does the Minister expect the Government to meet future repayment obligations; for example, the current borrowing that is put in the Budget for Fort Regent?

Deputy M.E. Millar:

As indicated, we do not borrow unless we have a repayment plan. Borrowing has its place. It is like everything else. Nobody pays cash for their house. Most people borrow to fund their house purchase. Many people will borrow to fund a car purchase, but you would generally not want to borrow for day to day revenue spending. I certainly would not support borrowing for day-to-day revenue spending, but any time we do borrow it will be with a clear repayment plan that we know will work and that we know we can afford.

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

The South Hill development by S.o.J.D.C. titled “Westward” is now open for interest for pre-sales. Will the Minister advise the latest update she has received from S.o.J.D.C. on the pre-sales process and whether it is meeting the speed of uptake she and S.o.J.D.C. forecast?

Deputy M.E. Millar:

That is a very specific question. All I know is that pre-sales launched on 6th October and early signs are encouraging. There has been an encouraging take-up but I cannot say any more than that.

4.2.1 Deputy A.F. Curtis:

Will the Minister be prepared in future, not saying she was not expected to for this question, but for more questions on this? The Assembly did approve P.88 to change the pre-sales and let agreements for commencement of development. So if the Minister would be able to share progress on this, then the Assembly may have an idea as to how the market is moving, given this is a large development and we have all had a stake in changing the start of the development on this through P.88.

Deputy M.E. Millar:

If the Deputy is asking me to come to the Assembly every sitting and report on pre-sales for Westward I think that would be a waste of our time. P.88 was to confirm that the construction would not start, I believe, until a certain level of sales had been reached. I am sure once the pre-sales have been reached and construction starts, that will be made known to the Assembly or to the public one way or the other, not least by the commencement of construction, which will not start without the pre-sales.

4.3 Deputy M. Tadier of St. Brelade:

Could I ask the Minister whether she believes enough is being done in terms of economic stimulus in this Budget? If so, could she give some examples? Does she think that there are areas where more could be done to stimulate the economy and, therefore, to grow the pie, so to speak?

Deputy M.E. Millar:

I thank the Deputy for his question. I think there is work happening in this Budget. Some of it is the work that started last year with the Better Business Support Package. There is £10 million available this year for various business stimulus packages, and a further £10 million next year. I think we have agreed recently that to the extent there is any money left from this year it will be pushed forward into next year’s funding, but any money left next year will return per our original agreement to the Social Security Fund. So as well as the Better Business Support Package, we are also investing a lot of time and work on the competitiveness programme for the financial services sector. It will probably come as no surprise to you that I think financial services is clearly the biggest part of our economy and we absolutely must protect it and promote it and make sure that it continues to thrive and that particularly it continues to be able to compete in a very challenging global environment with other international finance centres. There is money in the Budget for that programme and some very good work has already been done. The work is under way with extensive collaboration with the regulator, Jersey Finance and stakeholders across industry. Industry itself seemed to be very much on board with the progress and I think there is a real sense of positivity around our financial services industry at the moment. We hope that that will only continue as that work continues to develop under the leadership particularly of Deputy Gorst.

4.3.1 Deputy M. Tadier:

I welcome that answer, but could the Minister confirm whether she is of the opinion that maybe we could have still given bigger budgets to the likes of Digital Jersey, Jersey Finance Limited, Visit Jersey, so those industry partners who are ultimately responsible for developing and bringing new business into the Island? Would she give an assurance that if there is new money that becomes available, notwithstanding her comments already about the Better Business Support Package, that

any extra monies could be redirected to medium and longer-term financial growth, which will ultimately hopefully benefit all of us?

Deputy M.E. Millar:

That takes us back into the realm of difficult decisions. Yes, we can invest money in those agencies. Where would you like that money to come from? Would you like us to cut some budgets elsewhere? There has been a very difficult balancing act this year to make sure that those agencies that have budgets continue to perform. Equally, there are voices that say we need to do more to make sure they are operating efficiently and wisely for their budgets. They will be doing their part to promote the economy with Visit Jersey. I should also mention that there is funding in the marine and rural schemes. There are a number of schemes in the economy as well as supporting those agencies and it is one of our continuing difficult decisions as to how funds are allocated.

[12:00]

4.4 Deputy J. Renouf of St. Brelade:

The F.P.P. says the Budget is not prudent to take money from the Social Security grant in advance of a full actuarial review. Given that the review will not happen until next year, is the Minister a follower of the well-known Augustine prayer: please make me fiscally prudent but not right away and particularly not until after the next election?

Deputy M.E. Millar:

I am fiscally prudent. I would hope people would recognise that. But it comes back to what would you like us to do? The Social Security Fund is very well funded. The F.P.P. comment that it was not prudent, they are talking about a temporary measure that has been done to ensure that we can invest in health, that we can invest in facilities for our most vulnerable children, and that we can produce additional childcare and by producing additional childcare we will have more people in work contributing to our economy and contributing to that fund and to tax revenues. The Social Security Fund is very healthy. Even if no more money went into it, it could pay pensions for over 7 years. There is no country that we are aware of that has that level of reserved funding for pensions. I think that the F.P.P. were even more blunt about the need to fill our other reserves. It really comes back to do you want services? Do you want us to continue providing health services and services for children or do you want us to not do those things? They are very difficult decisions. It was a decision that was made for this Budget, and it is something that we will all have to review in the future as we consider how we spend and what we spend money on.

4.4.1 Deputy J. Renouf:

I welcome the Minister's confirmation that the Budget shunts all the big decisions on funding into the post-election period and the F.P.P., of course, are seriously concerned about spending commitments that are not covered into the future. Does it concern her at all that she has the distinction of being the Minister for Treasury and Resources that has triggered one of the most unusually critical set of recommendations that we have seen?

Deputy M.E. Millar:

If I can go back to my comments earlier in this sitting, it is not my Budget. It is the Council of Ministers' Budget, and the Council of Ministers took those difficult decisions. The F.P.P. report is not a surprise. We know we want to put money into the Strategic Reserve and Stabilisation Fund and we have set out a plan to do that. The prior year basis debt will go into the Strategic Reserve this year which will help bolster it and I accept the F.P.P.'s comment that that is not a liquid debt, but it will become liquid over a period of time. We have a plan to use Pillar Two revenues to bolster those reserves. We have a need, however, for short-term funding for Health and Children Services and it is important that we provide that funding and we have sought to do that.

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

Further to Written Question 412, may I ask the Minister what encouragement she has given to States of Jersey Development Company in regard to the International Finance Centre? Currently 3 of the finance buildings have been built with 3 possibly to go. One has planning permission: I.F.C. (International Finance Centre) 2. How is she going to try and progress those buildings and does she believe it is vital to the Island economy that they are built?

Deputy M.E. Millar:

Sorry, I was trying to remember what Question 412 is. I think it was the one about I.F.C. 6. I do not think I can say very much more than was set out in the answer to that question. If I encouraged S.o.J.D.C. to build a building for which they had no tenant and for which they would then have no income stream, that would not be fiscally prudent. We cannot have a building sitting there empty. The answer to the question made it clear that businesses make their own difficult decisions about whether to move to new premises or whether to stay where they are and move to refurbished premises. It is a difficult decision for any business. S.o.J.D.C. also have guidance. I cannot encourage them to build a building when it does not meet guidance in terms of pre-let and we, both I and S.o.J.D.C., would be criticised if we did not meet the pre-let targets. I have no doubt that they are trying hard to find an appropriate tenant that will allow them to start building that building. The 3 blocks we already have are fantastic. They have led to other movements. There have not been many other big commercial developments apart from those, I believe. S.o.J.D.C. I think, want to build them. They are ready to build them when the time is right and all they need is a tenant and they are working hard to find one.

4.5.1 Deputy S.M. Ahier:

Currently the pre-let requirement is for 25 per cent of the total area, which obviously is a 100 square feet building so would currently be 25,000 square feet. Does the Minister have any intention to amend or change that pre-let guidance to allow the building to progress?

Deputy M.E. Millar:

No, I have not discussed that with S.o.J.D.C. I think 25 per cent already seems like a minimum for a pre-let and I do not think we need to reduce that further. That is my personal opinion. I am sure S.o.J.D.C. have plenty of other projects to be getting on with.

4.6 Deputy K.L. Moore of St. Mary, St. Ouen and Trinity:

In a previous answer, the Minister was quick to distance herself as the solely responsible person for the Budget and said it was the Council of Ministers' Budget. Are we then to assume that the Minister does not agree with all aspects of the Budget and she would have brought forward a different Budget had it been her sole responsibility?

Deputy M.E. Millar:

That is an interesting but very speculative question. She will know that Council of Ministers discussions are challenging. Many Ministers want to spend money in ways that other Ministers do not agree. We had some very challenging discussions but what we did do - crucially this time - is limit the growth bid process. We did not ask departments or expect departments to bring forward multiple growth bids, as they have done in years gone by, and that is what has led in part, I think, to the huge growth we have seen in Government spending. The idea that every year departments can come forward with a big wish list of: "Dear Minister for Treasury and Resources, can we have money for various projects?"

The Bailiff:

That completes the time for your answers, Minister. Thank you, Minister.

5. Questions to Ministers without notice - The Chief Minister

The Bailiff

We now move to the final set of questions without notice to the Chief Minister and the first question is from Deputy Warr.

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

It is nice to be up here first. Does the Chief Minister believe that the decision to go against the Strive proposed hotel was right in terms of that they achieved the right balance between the economic demand and the environmental demand in not approving the site?

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

Can I start by saying I am absolutely 100 per cent behind the proposal to develop a hotel, as proposed by Strive. However, what is on the table is just too big. I have spoken to the owners, and I have offered to assist where I can. I understand they are planning to revise their scheme to make it more realistic in relation to size and scale and so without compromising the economic viability. I very much hope a good compromise can be made so the project can go ahead, albeit in the slightly reduced format.

5.2 Deputy J. Renouf of St. Brelade:

When the Chief Minister spoke earlier, he seemed super pleased with the health of the Social Security Fund so why then did he not take more money from the Social Security Fund rather than, for example, breaking last year's Budget promise to not use Pillar Two funds for day-to-day Government spending?

Deputy L.J. Farnham:

I am not sure I can reconcile being criticised for taking money and then being asked if we cannot take more, so I cannot help that if this Government walked on water, the Deputy would criticise us for not being able to swim. **[Laughter]** We spend a lot of time preparing a Budget in light of the growth we have seen and while trying to continue to curb that growth, we put together the best Budget we felt we needed to. We certainly did not want to take any more out of the Social Security Fund than we felt that we needed to and before the Deputy asks about advice from the Fiscal Policy Panel, we did receive considerable advice in relation to the funds going back to the 2023 report and advice we have taken since which does show the strengths of that. We have tried to be prudent right across the Budget with the need to balance the Budget term. I hope the Assembly will support that, but I would remind Members we are open to amendments, and we are happy to discuss any other ideas that Members have that could improve the Budget.

5.2.1 Deputy J. Renouf:

I thought I had shown the Chief Minister respect by listening to his answers and responding to them. The point is he has made a claim that the Social Security Fund - and so did his Minister for Treasury and Resources - is in rude health and overfunded. I would ask then: why did he not consider a short-term measure that would have not had long-term implications for Government funding, such as a short-term cut in social security contributions, that would have assisted the public with the cost-of-living crisis but not implied long-term commitments that could not be met?

Deputy L.J. Farnham:

We had to balance the options with the fact that we needed to deal with a smaller than previous years - than 2023 - growth bid which protected and invested in front line services and that pretty much correlates with the proposed reduction in the grant to the Social Security Fund. We did that with the

knowledge of the projection that we are still putting a proposed £184 million into the fund which is projected to grow to £2.9 billion by the end of the current Government Plan period.

5.3 Deputy M. Tadier of St. Brelade:

Mindful of the fact that C.O.P.25, I guess it is, is taking place around about now, in terms of Jersey Government's continued commitment to reducing carbon emissions, can the Minister confirm that he believes his Government are still on track and confirm that it is still a priority for him?

Deputy L.J. Farnham:

I think the Deputy means C.O.P.30 ...

Deputy M. Tadier:

That is the one.

Deputy L.J. Farnham:

... and the Deputy will have noticed a number of public consultation documents that have gone out. I am trying to recall the name of the group that has just been formed who are reviewing our progress. That has started and we continue to move towards that target. That is our policy. That is our current intention. I am not sure; we would have to refer to the Minister for the Environment in relation to how we are interacting with C.O.P.30 this year. Members will realise that some of the very large countries are not participating, which has caused some consternation and led to, regrettably, less interaction across the world, but Jersey is determined to do its bit as a small and responsible Island nation.

5.3.1 Deputy M. Tadier:

Does the Chief Minister agree that vehicular emissions, so cars, vans, et cetera, is an area where we can make significant improvements in Jersey, not just in terms of carbon emissions but in pollution reduction, and does the Chief Minister believe that we will be able to take the public along with us in terms of that vision but also practically in terms of a fair transition?

Deputy L.J. Farnham:

Yes, I do agree with that principle, and I have always said our argument is not so much with the car, with the wheel, it is with the combustion engine, but I think we have to be as realistic as we can. Our access to vehicles is not dependent on the decisions we make. They are dependent on the decisions of the bigger countries and the countries that manufacture the car.

[12:15]

There is not a lot of point of us going ahead of that if it is going to significantly disadvantage us in what vehicles we have access to so we have to go at the same speed as the rest of the world but the sooner that can happen, the sooner we can be less reliant on the combustion engine and, I think, the better. Of course, we are hoping and we are monitoring other forms of power that are currently being developed, such as the hydrogen cell.

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

Given the many comments we have heard today about the health of the Social Security Fund, would the Chief Minister agree that now is the right time to correct the unfairness that exists in the system which means that around 50 Islanders per year over the age of 60, who have paid their maximum contributions, now face having to overpay by many thousands of pounds to continue contributing or take a reduced pension and lose out financially? Does he agree that the time is now right to correct that and address it?

Deputy L.J. Farnham:

I think certainly the time is right to review that. That is something I have always felt uneasy with, the length of time Islanders have to contribute into the fund to receive the full pension. I believe that is at the heart of the reason why the Minister for Social Security has commissioned a review to be published, I think - and I am looking at her for guidance - in June 2025. Unfortunately, she is not listening, so she is not going to be able to respond. She is still not listening either, but that is fine. The idea of that review is to examine all of these issues and look at how we use the Social Security Fund in the future. Of course, that will reflect everything from the level of the reserve to the amount of social security contribution, but I do certainly believe, as does the Minister, that it should be reviewed.

5.4.1 Deputy J. Renouf:

Later in this sitting, we will be debating a proposition from the Constable of St. Helier regarding Commonwealth Observers for the election. I wonder if the Chief Minister can state how much it is going to cost Government to bring back Senators?

Deputy L.J. Farnham:

In the long term, I wonder how much it will save the Government. [Approbation] Thank you, Deputy Gorst. [Laughter] No, I do not know. In relation to the cost of what exactly? Could the Deputy be a bit more explicit?

The Bailiff:

I shall remind you, Deputy, under Standing Order 65, I shall rule out of order a question without notice that asks for statistical/technical detailed information it would be unreasonable to expect a Minister to be able to provide without notice. It is not permissible to ask this Minister precisely what it is going to cost because he simply should not be expected to know that under Standing Orders, if that is the point of your question.

Deputy J. Renouf:

Can I rephrase it, Sir?

The Bailiff:

Yes, I am sure you can rephrase it.

Deputy J. Renouf:

Given that one of the issues with the Constable's proposition may be the cost of bringing in C.P.A. (Commonwealth Parliamentary Association) Observers, does he think that that would be a worthwhile cost given the changes to our electoral system and given the widespread use of electoral observers in elections in Guernsey, Isle of Man and so on?

Deputy L.J. Farnham:

I do not have any particularly strong feelings of it. I do support strong observance of our elections. We were observed in the last one. I am not sure whether it is necessary to have election observers again. We have been observed when we have been running the Island-wide mandate. It is a matter, I think ultimately, for the P.P.C. and the Assembly. I think on balance I would support election observers coming over. I have not really had too much time to give that too much consideration, but it is something I know we are going to.

The Bailiff:

Any further questions for the Chief Minister? In that case that brings that series of questions to an end.

Deputy L.J. Farnham:

Just a quick question: what was that Standing Order about detailed questions?

The Bailiff:

Look it up tonight. Standing Order 65(2).

Deputy L.J. Farnham:

Thank you, Sir. I shall remember that.

The Bailiff:

Keep it up your sleeve. **[Laughter]** Nothing under J. Under K, there is a statement to be made by the chair of the Children, Education and Home Affairs Panel in respect of the protection children in Jersey have from online harms.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

6. The Chair of the Children, Education and Home Affairs Scrutiny Panel will make a statement regarding its report entitled What protection do children in Jersey have from online harms? (S.R.4/2025)

6.1 Deputy C.D. Curtis of St. Helier Central (Chair, Children, Education and Home Affairs Scrutiny Panel):

I just want to say a few words about the recently published Online Harms Review. It is a busy time so for any busy States Members who have not read our 168-page review, I will mention some of the main findings and recommendations and also, the reasons for this review. As I expect we are all aware, there are grave concerns regarding the welfare of children online, especially when it comes to social media. It is my duty, as the Children, Education and Home Affairs Panel chair, along with panel colleagues, to raise issues which we feel are not being addressed, and this was one of them. We gathered many submissions and held multiple hearings. What we discovered when we started looking into this last year was that there was no overall plan to deal with this problem and there still is not. Jersey is often considered a safe place to bring up children but now that children spend so much time in the online world, Jersey is just the same as anywhere else regarding dangers. We have seen this in several court cases this year in which children were recruited into acting as mules in a drugs business and other children were sexually abused by a man pretending to be a teenage boy online, building relationships on Snapchat in order to meet them, as they thought, but they were being groomed by an adult. There are also the effects on children from seeing terrible things that they do not have the ability to comprehend causing anxiety, self-harm and even suicide. Of course, children do grow up now in a digital world and need to learn how to deal with these matters. The review does recommend that children become digitally literate and understand digital citizenship to be able to benefit from all the good that the online world can bring. Unfortunately, the platforms have not shown sufficient care for children's welfare and as stated by the U.N.C.R.C. (United Nations Convention on the Rights of the Child) that means Government must step in and legislate and yet Jersey does not have the same safeguards in place as other jurisdictions. The decision to not accept a permissive extent clause that would have included Jersey in the U.K.'s Online Safety Act was made without any consideration of children's rights and without any consideration by other Ministers or Scrutiny, not even the recording of a Ministerial Decision. This happened in late 2022. The panel has since been told that the plan when refusing the permissive extent clause was for Jersey to make its own legislation to protect children online. Nearly 3 years later where are we? Well, there has been no plan, nor any legislation based on the needs of children. Yes, we do have some legislation coming into effect soon due to the V.A.W.G. (Violence Against Women and Girls) report but that leaves huge gaps in protection for children online. One example in which Jersey differs from other places is that there is no age verification on adult sites. There is in the U.K., but children here being

curious can search for a major porn site, for example, and what they would see on the screen in Jersey is just a tick box to state that you are over 18, so a 10 year-old child could tick that and the next thing they would see is a series of porn videos with their titles. On the day that age verification measures came into force in the U.K., we checked whether they were also in place in Jersey and they were not. On clicking on to the site of probably the most well-known porn website that day, the major video story, and I cannot use the actual words, but along the lines of: “My stepdaughter lets me have sex with her.” How would that make a 10 year-old child feel who lives in one of our many blended families about relationships with their stepparents? The evidence shows that due to children’s curiosity they will access this sort of thing at a young age. Surveys show that one in 10 children will have accessed adult porn sites by the time they are 9 years-old. As if the online dangers are not enough already, the advancement of technology is so rapid that new dangers are appearing as we speak. A.I. (artificial intelligence) chatbots are becoming very popular with children. These have not been designed with children’s safety in mind, and we have probably all heard of the 14 year-old boy who recently killed himself having become obsessed with intense messages from a chatbot. His mother is now suing the platform. One wonders how Jersey Government’s legal position would be viewed if something tragic like this were to happen here considering our lack of legislation. This is an evidence-based review. There are no opinions in the review’s findings and recommendations, just fact. It would have been nice for the panel to offer up our views and say: “We believe in having our own legislation”, or conversely: “The panel believes we should accept the permissive extent clause”, or we could say that we believe in the ban on phones in schools or we do not believe in that. We have refrained from making comment and I repeat this is an evidence-based review and the next step is for Government to follow the recommendations and make some difficult decision. These recommendations call for a comprehensive online safety strategy, for a gap analysis of legislation, for work with public health to deal with the physical dangers of prolonged screentime and also suicide prevention, the digital literacy support for parents, updates to counter cyberbullying and many more. I want to thank my fellow panel members and all those who contributed to this review and, of course, the excellent panel of officers. But coming back to the fact that children have been left without the same protections here as children have in the U.K. or other countries, what we did not expect to find as a panel was that the Government and previous Governments have not properly embedded children’s welfare into policymaking. This means that major decisions affecting children’s welfare can be made without any thought to the effect on them. We recommend that all policy considerations should be subject to a formal assessment of children’s rights at an early stage and this, we think, should be urgently considered. What we are also hoping for is an acceptance from the Government that these are systemic failings that need to be addressed. I really hope there is not going to be a defensive response to this because, as elected representatives of the people, we are here to act in their best interests. Thank you. **[Approbation]**

The Bailiff:

Thank you, Chair. Other Members now may ask questions of the chair for up to 15 minutes. Are there any questions for the chair?

6.1.1 Deputy J. Renouf of St. Brelade:

First of all, I thank the panel chair very much for that statement and for the report which I think is very timely indeed. When the permissive extent clause was not adopted by the Government, I think she said that in 3 years there was not much evidence of any action by the Government. Was she able to gain any insight at all into Government thinking about the need or otherwise for some legislation to mirror or in some way deal with the same issues as the U.K. legislation does?

Deputy C.D. Curtis:

Yes, we asked questions in public hearings and did get some ideas of the reasoning behind this decision. The plan, we were told, was for Jersey to develop its own legislation. Having said that,

there is no evidence of any legislation being developed or any plan. The decision to not accept a permissive clause was made in, I think, something like September 2022, and we did get told that there was a response with the V.A.W.G. legislation which covers some of the issues, but that report did not come out until a year later and so that cannot be used as a justification for work being done because it did not exist at the time. I think that is my answer really.

[12:30]

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

I rise as a Member of the Assembly rather than a Minister to thank the Deputy and her panel for this work. It has made me think very hard, and I say to her I have in the past spoken to the Minister for Education and Lifelong Learning about how children use phones in schools, but I have to admit that I have been woefully short in my knowledge of how phones can affect children in other ways. Her report and her statement are certainly highlighting things that I had not considered before so I thank her immensely for that. I note her report contains data and no opinions but given that she and her panel are in a position now of so much knowledge of the subject, could she just tell me and the Assembly how she would move forward if she had to move as quickly as she possibly could to protect children?

Deputy C.D. Curtis:

I thank the Deputy for his comments and certainly I was not aware either of how much there is in this new world that children spend so much time in. What we have to do now as a panel is to wait for a response from the Ministers and the Government to what we have outlined. Of course, we all have formed our own opinions. We wanted to keep this very fact-based so that it is helpful for the Government to make decisions and move on. Having said that, there are certain points which I think are quite outstanding and anyone could agree upon that came up from the experts we spoke to, which is that any legislation that is made should only be made if it is effective and if it can be carried out across international borders because this is an international problem. At the same time, that does not mean that we just leave it and do not do anything. I think there are multiple ways that this problem can be dealt with through helping parents, who are not digital natives generally, but helping parents to be able to deal with the problem by bringing in legislation where it can be effective or updating current legislation. Whether that would be to align with Europe or the U.K., I do not know. This has to all be considered but whatever legislation is brought in has to be effective and also not fragmented and also align with other jurisdictions, otherwise it just will not work.

Deputy S.G. Luce:

I do not think this is really a question, but I thank the Deputy for her answer. I would urge her to look upon this as not an issue for just Government but for all Members of the Assembly and urge her to try to work with Ministers to come to the best solution as quickly as possible.

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

I thank the chair for her statement and also the report of the panel. I think it was incredibly helpful and is able, as we see straightaway, to help focus minds on what is, no question, an incredibly important matter. There is legislation in progress within the Government and one of those pieces is a piece of legislation that is in law drafting at the moment, which will enable people of all ages to be able to have harmful content removed. Is she aware of that piece of legislation being in law drafting at the moment?

Deputy C.D. Curtis:

Yes, we are aware of some law drafting that is in progress. Still, the overall picture is one of fragmentation. There is nothing at the moment to deal with harms, like self-harm and suicide content, so I do not see that there is any legislation that could help with that, nothing in progress around

keeping platforms to account in any way, nothing about misinformation, for example. We do understand that there is some legislation in progress, but it is a very fragmented picture. We need to have a gap analysis to see what is missing. It is not a good place for Jersey to be, to be not in alignment in any way with other jurisdictions. We do not know what could come out of that, so I think we need to see an overall picture of what is missing in the planned legislation.

6.1.4 Deputy K.F. Morel:

I thank the chair for her question. I do not disagree personally with the view of fragmentation, and I am working to try to ensure that fragmentation changes to a lack of fragmentation. With regard to the U.K. legislation, does the chair agree that the U.K. legislation is highly criticised and that in this year - in fact on 5th May 2025 - the Internet Matters' annual report *Children's Well-being in a Digital World Index* revealed that there had been no reduction in children's experiences of harm online and that children in the U.K. are finding it harder to navigate and recover from the challenge of the digital world with two-thirds of children saying they experienced harm online and so there has not been any immediate - and I accept that it is fairly short term so far - impact of the U.K. legislation, and that Jersey should maintain its own control over its own legislation but does need, I agree, to act more quickly perhaps?

Deputy C.D. Curtis:

Yes, I would say it is too early to be able to make a judgment like that. We have had feedback about concerns about the U.K. Online Safety Act. Nothing would be perfect and it is far from perfect. I know that when speaking to organisations that were involved in trying to develop this in the U.K. that they wanted to do more but there was so much pushback from the major online platforms that they could not. Jersey could develop its own legislation but how effective will that be in certain areas? In some areas it might work very well; in others, would the online platforms take any notice of the legislation in Jersey? Possibly not. Would it be better to align with the U.K. or Europe or Ireland to give us more power in our legislation or the overall legislation? This is what we have done for the work we have done to prepare for governments to be able to take this forward and we refrained from giving opinions because we did not think it would help.

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

I would also like to join others in thanking the chair and the Scrutiny Panel for a very interesting report. It is something that is absolutely needed. I am wondering if the chair could say whether the panel looked at the fact that devices, for example technological companies such as Apple, say that they have parental control and that there are potentially filters to help to monitor children's activities on other similar devices and whether the panel found that these filters do exist or is it a pretence and there are ways to get around that by these adult industries?

Deputy C.D. Curtis:

Yes, it is such a huge subject that we did not have time to look into this very much. However, there are things that parents can use, controls - I think it is Google Family and so on - which I think can help. Of course, they help when the child is at home using the internet at home or possibly on their mobile phone if they have managed to bring in some restrictions there. Just as important, I think, is the open conversations between parents and their children to ensure that children feel safe in speaking to someone - their parents or another adult - when they find something unpleasant, something they do not understand, something that upsets them. I know that the research we did look at showed that I think it is around more than half of children did not feel they could speak to their parents if they saw something that really has upset them online because they feel, like adults do when these things happen, ashamed. So any protections that parents can use, I think, would be helpful. That does not mean the child might go out and just meet another child and look at something on their mobile phone

which does not have any limits at all, so there is a place for these things that parents can use to add to their child's phone but it is only a very small part of possible protection from harm.

6.1.6 Deputy H.L. Jeune:

I thank the chair for her answer, although I think what I was getting at - and I think it is really from my own experience - is that although there are these filters that potentially could be put on technology to be able to limit words, particularly, or access particular sites, what I have found is that is not the case and those particular sites are still able to get around those filters. I am just wondering if the chair, as follow-up potentially to this report, could find a way to look into those companies or technology companies who say that they are able to do filters and so parents are lulled into thinking that there is a sense of some protection when there is not.

Deputy C.D. Curtis:

Yes, I am sure there are limitations on their use and, unfortunately, we cannot trust the major platforms to protect children. One other level of filtering that is available, for example, in the U.K. is the network-level filtering by internet service providers, like Jersey Telecom here, for example. They wrote to us and complained that the legislation in Jersey does not exist for them to do this so they cannot block sites to do with certain things, which they could do if they were in the U.K. This legislation was brought into the U.K., I think, in 2017 so this is another level of network filtering which we do not have available in Jersey.

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

I believe in Australia they have now banned smartphones to under-16s. Obviously, we have age limits in all sorts of areas: alcohol, driving licences, voting, smoking. Is it appropriate and should we be considering this kind of legislation?

The Bailiff:

Before you start, Chair, the 15 minutes allowed under Standing Orders is about to expire but we can extend for a further 15 minutes if that is the wish of Members. Is it the wish of Members to extend? There are another 5 or 6 Members who wish to ask questions. Are Members content to extend? Do Members want to have that 15 minutes now or is the adjournment proposed? Under Standing Orders I need to ask if you want to adjourn or continue. No one wants to adjourn so we will continue.

Deputy C.D. Curtis:

I think it is for the Government to consider all possibilities and what is happening in some countries with not allowing mobile phones at all for younger children or any social media accounts is very interesting. It is going to be helpful to see how that rolls out but we do have to remember as well that the U.N.C.R.C. does state that children need to be able to use the digital world. They grew up in a digital world, and it may not be helpful to cut them off completely in such a way, but I definitely think it should be considered.

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

I think this report is excellent. I think the review itself has been conducted in a really impactful way and I know that parents are very grateful for the focus on this. I wanted to ask questions about the key recommendations that the panel has picked out from their recommendations, the first of which focuses on children's rights and there are 2 others: the online safety strategy that is recommended and also the legislative gap analysis. Has the panel made any estimation of how much either of these would cost to do?

Deputy C.D. Curtis:

No. I mean the simple answer is no, we have not looked at how much these would cost. I think that is really out of the scope of what we can do as a Scrutiny Panel when analysing a subject like this.

[12:45]

6.1.9 Deputy L.M.C. Doublet:

Would the panel consider discussing that with Government Ministers ahead of the Budget and, if necessary, ensuring that the necessary funds are within the Budget? Also, one of the other key recommendations which I wanted to ask, if there could be a potential cost or whether conversations could be had to do the work, is around the work with Public Health to put in place evidence-based guidance which seems to me like something that could potentially be achieved in short order but would have a huge positive impact.

Deputy C.D. Curtis:

I think some of these things are out of our hands. We have to wait and see what the response is from Ministers to our recommendations. We can try and push for that to be done as quickly as possible and also the work with Public Health, which I think would make a huge difference. We can try as much as we can but a lot of this will depend on responses from the Ministers.

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

Again, thank you to the panel and to the chair for this report, which is literally critical in terms of public health issues. Just one of the things I wanted to ask is whether or not the panel would consider doing a separate piece of work to address the complex issue around the interface with online platforms and could that be considered both in the context of what that means for parental controls as well as children and young people accessing that content? Is she minded to do any more about that particular aspect of her work in going forward?

Deputy C.D. Curtis:

I am not sure about the question because the review that we have done does look at how young people are using the platforms, so I am not sure what more ...

Deputy K.M. Wilson:

If I could clarify, Sir?

The Bailiff:

Yes.

Deputy K.M. Wilson:

It is really to engage in further debate and discussion with the platform providers themselves to see whether or not there is anything that can be done to effect better understanding, better control.

Deputy C.D. Curtis:

Yes, of course; I understand now. We did try and engage with all the major platforms and some of the major websites and the only reply we had, after trying very hard over a long time, was from TikTok. TikTok did talk about the work they are doing because I am sure all the platforms do have a part of them which wants to make children safe and ensure that everything is done well. So TikTok did reply to us and that is public on the website, but apart from that we could not get any responses at all.

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

Thank you, and I too welcome the report. I think we are opening much wider the discussion on safety for children across our Island and across our society, which is a really good thing. Recently, as a prelude to this question very quickly, I was at School Council Network, and I went to the secondary school one and then I went to the primary school one. The main focus was the development of our online safety platform in conjunction with the department, and the young people worked really well.

Can I ask the panel chair what input was asked for and received from groups like the School Council Network or Jersey Youth Parliament, et cetera, and young people for this review?

Deputy C.D. Curtis:

Because this was a Scrutiny review, which was doing an analysis of what was there and getting input from experts, that was our focus. We did invite young people and young people's groups as well to contact us, and we received some submissions from young people but that was not the focus of the review at this stage. What we have done is made a recommendation that now this is passed on to Ministers to work on the online harm strategy that they must consult with young people to take their views into account as well.

6.1.12 Deputy R.J. Ward:

Can I offer the chair of the panel that they can come and meet with the School Council Network as the start of this process because there has been a lot of consultation with young people and they really have helped design a really creative platform in young people's language, so to speak. I would just say to the chair that I think you would be very welcome to chat to them and see the work that is going on. It might be slightly reassuring as well.

Deputy C.D. Curtis:

Thank you. I am sure the panel would love to do that. That would be really good. Having said that, I must state that it is not the responsibility of the Scrutiny Panel to continue with this work. The Government and Ministers need to take responsibility and do it themselves. **[Approbation]**

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

Once again, I would like to thank the chair of her panel for a really excellent and very sobering report. I have asked questions in the past about the Online Safety Act and the permissive extent clause and why it was not extended to Jersey and was told that Jersey was working on its own legislation. I am sorry I dropped the ball and stopped asking because I am very disturbed that it is 3 years and there has been very little progress and it has been so slow, and our children have been left very vulnerable. I would like to ask the chair that even if there has been criticism of the Online Safety Act, the English legislation, surely some legislation over here would have been better than none while we wait for 3 years? Would she agree that urgent legislation is needed and maybe that the Online Safety Act permissive extent clause should have been extended here in the meantime?

Deputy C.D. Curtis:

Perhaps it should have been accepted; I do not know. What we have got is an absence of any planned regulations specifically for children at all so, yes, it is disappointing. I think something that came out in our report very strongly was that what is supposed to be embedded into the Government about consideration of children's rights is not really there. It is here and there in parts, but it means that legislation or policy that could help children, that could have a huge effect has been ... decisions have been made on that without considering children's rights at all.

The Bailiff:

Supplementary?

The Connétable of St. Martin:

No, thank you. I thank the Chair for her very good answer.

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

I think the chair has touched on my question, although I think she said that they did not consult with children themselves. Could she just confirm that because I find it astonishing? Did they consult with parents and what is the panel's view about the obligations of parents in regard to helping keep their

children safe? What tools and information can be provided to parents so that they can play their part in keeping their own children safe from harm?

Deputy C.D. Curtis:

No need for the Deputy to be astonished because I did not say we did not consult with children. I said that we did not reach out particularly strongly to children's groups. We did reach out to some, but we did not get a response. We invited children as well to submit to the review, and we did get some children's responses. As for parents, for any Deputy who has taken the time and trouble to look at the submissions received in this review, they will see an enormous amount of responses from parents.

6.1.15 Deputy M.E. Millar:

I have not had a chance to read the report. What was the panel's view on what can be done to help parents in this respect?

Deputy C.D. Curtis:

We have some recommendations around digital knowledge being available to parents because parents, as I think I said before, many of them have not grown up as digital natives and do not know how to help their children, so we have got that as a recommendation in the report.

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

I too welcome the report and I think it highlights the need for us to change our culture in response to technology, which is a very general one. I have mentioned it in respect of cybersecurity and indeed the report does highlight the need to change parenting culture as well. The question that I have relates to the manner of analysis by the report, particularly in terms of the analysis comparison of the D.E.A. (Digital Economy Act) and also in respect of recommendation 10, which was contemplating that the Minister for Sustainable Economic Development conduct some sort of consultation about the ability to get technological filters in. I just wondered the extent to which the panel had considered the use of V.P.N.s (virtual private networks) and how far advanced generally the technology is in terms of enabling people to address that and circumvent the platform providers as opposed to putting more emphasis on parenting controls.

Deputy C.D. Curtis:

Firstly, I do not think we did make any comment about changing parental culture. We just think that parents need more help in understanding the online world and what they can do about it. We do have a recommendation about the network filtering because this was in response to what experts were telling us, including the internet service providers in Jersey, which would be helpful. As for V.P.N.s, in some of our public hearings - one with one of the police officers who was an expert in this field - they did state that V.P.N. use is very widespread and is a huge problem but that it does not mean that we should not try and do something about this. In the U.K., for example, the Online Safety Act has put a duty on platforms to make all efforts to stop children from accessing dangerous material. That means that quite a lot of the major sites now have built-in ways to try and detect V.P.N. use because they know that they could be charged by the Government if they do not show that they are protecting children from accessing bad material online. So there are developments already around V.P.N. use to try and deal with that. I think that because it has become so widespread also it does not mean that an 8 or 9 year-old is going to have access to it. It may be an older child but not a very young child. Because it has become so widespread does not mean that we should do nothing.

The Bailiff:

Thank you, Chair. There are only 28 seconds left so I think that brings the period for questions to an end.

Deputy M.R. Scott:

I asked about the analysis, the comparison of the digital services sector in the E.U. in terms of the advantages it brought compared to the Online Harms Act.

The Bailiff:

Yes. Can you do that in 12 seconds, Chair? **[Laughter]**

Deputy C.D. Curtis:

No, I do not think so.

The Bailiff:

No. All right. That brings the period of questions to an end.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Are Members content to adjourn? Adjourned until 2.15 p.m.

[12:58]

LUNCHEON ADJOURNMENT

[14:17]

PUBLIC BUSINESS

7. Reduction of lodging period

The Bailiff:

Before we commence Public Business, a decision needs to be made about whether to reduce the minimum lodging periods in respect of particular matters on the Order Paper. Those are the amendment in P.68, Commercial Properties and Leases, and also the question of P.94, Management and Maintenance of the Havre des Pas Site. We start with the P.68 amendment, Commercial Properties and Leases, lodged on 5th November by the Minister for Sustainable Economic Development, who is not in the Chamber. Minister, we are going to deal first with the shortening of lodging periods in relation to matters on the Order Papers so Members know what is being debated during this meeting, and we are beginning with the amendment that you lodged on 5th November to Commercial Properties and Leases. Do you wish to make the proposition under Standing Order 26(7), the lodging period be reduced to allow the matter to be debated at this sitting?

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

I do, yes.

The Bailiff:

Do you wish to speak to that proposition?

Deputy K.F. Morel:

Yes. It is just to advise the Assembly, to the best of my knowledge, as recounted to me by my officers, was the amendment was lodged, I believe, in time for the cut-off at 9.00 a.m., but did not get processed within the secretariat until later, and that is why we are here arguing for the shortened lodging period. I do ask Members to take that into account, and I hope you will allow us to lodge this later. Thank you.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does anyone wish to speak on the proposition?

7.1.1 Deputy M. Tadier of St. Brelade:

Can I just ask for a clarification? When the Minister says it was lodged in time for the deadlines, does he mean that it was sent to the Greffe staff, as it is normal for a period of time there is usually a delay between submission of a proposition and approval, which could be longer than a day in some cases. So, would he just clarify that in the summing up? Is he blaming the Greffe staff, or is it ... I am just trying to figure out whether essentially it was submitted late, not enough time given, or whether it was simply an administrative error.

The Bailiff:

I should say, Minister, that the amendment itself says: "Earliest date for debate, 25th November." It does sound like it was more than a few hours late, the lodging. That is what the amendment says on its face.

Deputy K.F. Morel:

My understanding is it was lodged at the deadline or minutes before the deadline. So, no, not a day in advance of that deadline. But I believe that was still in order. I do not know. Irrelevant. I am not blaming anyone. I am not a blame game-type person. I just wanted to try to show that we had not just left it 2 days till afterwards to lodge it. We were trying to meet the deadline, and in one sense did not.

The Bailiff:

Does anyone else wish to speak on the proposition? I call upon the Minister to reply.

7.1.2 Deputy K.F. Morel:

Thank you, Sir.

The Bailiff:

Those in favour of reducing lodging period, kindly show. The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. Have all Members had a chance to cast their votes? I ask the Greffier to close the voting.

POUR: 43		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				

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

I can announce the proposition has been adopted.

There is an amendment lodged by the Comité des Connétables. Connétable, do you wish to make the proposition that the lodging period be reduced to allow this matter to be debated as well?

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

Yes, I do.

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

Sorry to interject. I am conflicted on this, as people will know.

The Bailiff:

We are dealing with the amendment of the Comité in relation to commercial properties and leases. We will come to your conflict in a moment. Is the proposition seconded? **[Seconded]** Does anyone wish to speak on the proposition to reduce the lodging period in relation to this matter? All those in favour kindly show. Thank you very much. Anyone against? The lodging period is reduced. Now come on to P.94, Management and Maintenance of the Havre des Pas Site.

The Connétable of St. Clement:

As I said before, I am conflicted on the Havre des Pas situation as I am a director of the company who are trying to take over the lease. I feel I should not be in the Assembly while this is debated, and I will certainly not be voting on the extension time.

The Bailiff:

Yes. Thank you.

The Connétable of St. Clement:

Thank you. May I take my leave?

The Bailiff:

You may. Deputy Warr, do you make the proposition under Standing Order 26.7 that the lodging period be reduced in relation to this matter?

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

I do.

The Bailiff:

Do you wish to address the Assembly in relation to this matter?

Deputy D.J. Warr:

Yes, certainly. Events in this situation have been moving very, very rapidly, and because of that I felt it necessary to put in my proposition, despite it being short-lodged. There is an expectation from the public that this is debated as soon as possible. There is a protest anticipated tomorrow in line with the debate to support that debate. Also, last Thursday, at the Lido at Havre des Pas, there was a very vociferous meeting whereby all those who attended that meeting were, very keen to make sure that this got debated. As I say, there is a high level of public interest in this. I appreciate the Minister for Infrastructure has asked for a delay or to go back to a normal lodging period. However, from what I have heard, and I appreciate his commentary is around saying: "I want time to find more information." The information, as far as I understand it, has been available to his department for at least the last 6 weeks. So, to get a call 48 hours before potentially the debate, I am sorry, I cannot accept that. I hope Members will support me on my short-lodging period.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does any Member wish to speak?

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

I emailed Members earlier today setting out my position. But for the benefit of the wider public, I would like to say a few words in response to this request for a reduced lodging period. Members are aware that I was originally content to support a reduced lodging period when this proposition was lodged by Deputy Warr at the end of October in order that we could deal with the matter in good

time. Throughout this process, myself and Constable Crowcroft have been determined to remain impartial and ensure that we run a fair and balanced process, and I believe that is what we have done. I am, however, like all Members, aware that concerns have been expressed about the process. Following Thursday's meeting chaired by Deputy Warr, which the Constable of St. Helier attended as my Assistant Minister, I agreed to meet representatives of the Love Our Lido group yesterday afternoon at 3.00 p.m. with the Assistant Minister and Infrastructure officers. The group have criticised aspects of the expressions of interest process and, after our discussion with them, we believe it would be helpful for us to be able to look at those concerns in more detail before having this debate. The group advised us yesterday afternoon that they had commissioned their own review but were not in a position yesterday to share either the detail, or indeed advise us who had carried out the review. But we do take their concerns seriously, but it is a bit difficult to do that anonymously. Currently, on the face of it, we do not consider the Love Our Lido's concerns to amount to valid reasons to question the process, and would therefore maintain our opposition to P.94. But out of respect to the group, and following the meeting yesterday, we would rather look at those concerns raised by the group in greater detail and respond to them prior to the debate, instead of these concerns remaining outstanding at the time of the debate. One of the things we discussed yesterday was charity registration. The group assured us at our meeting yesterday there was not a problem, and that has been confirmed today by Deputy Warr's email at lunchtime. The Deputy has asked me to withdraw R.158/2025, the Standing Order 168, but I will not be doing that because I have made a commitment in writing not to sign a lease until the debate on P.94 has taken place. I am happy to reiterate that position now and have it recorded on Hansard. Also, potentially it would mean that a subsequent challenge to Standing Order 168 might not then be debated until 20th January, potentially leaving the property empty for a month. This is where Deputy Warr and I both agree; we do not want to see empty properties unnecessary. We need a resolution well before 20th January. I recognise that I have changed my position on a reduced lodging period, but I think it is a reasonable response given the new information and the position we face. The impression I was given yesterday during what I would describe as a constructive meeting, is that some of the Love Our Lido group would rather that we allowed further time as well prior to the debate. I am only asking that Members allow the normal lodging period to expire before a debate takes place, and that would enable the debate to be better informed. In the next fortnight, should Members allow, we will explore the concerns raised by Love Our Lido to see if they have merit. I am open to ensuring that this is overseen with appropriate independence to ensure that is both thorough and, importantly, is seen to be thorough. I remind members that P.94 seeks a complete subversion of due process, and if adopted, especially if adopted at this sitting, it will open us up to no end of issues and likely challenge in the months and years ahead. I will not be supporting the request for a reduced lodging period, and I ask Members for their support.

The Bailiff:

Does anyone else wish to speak on this proposition? I call upon Deputy Warr to reply.

7.3.2 Deputy D.J. Warr:

I just respond to the Minister there by saying that I have also spoken to the governors. They have no desire to see this proposition delayed. They want this debate to be held. As I said, I think the general public do as well. I think it would be remiss of this Assembly to delay what is proving to be a very important debate for a number of Islanders. We need to listen to the general public. We need to make sure that we carry out their wishes. It is of vital importance, despite the Minister saying he does not have certain information. That information, I can assure Members, is all out there, has all been out there for the last 6 weeks. No attempt has been made to try and reconcile and find out more information. My objective is to go into details in my speech about that, but some of those numbers which have been quoted are absolutely outrageous, and I think his department could well have put in the effort and the time to sort those numbers out.

[14:30]

This will simply deflate the momentum behind this proposition and, as I say, I have a massive amount of public support for this proposition to be debated at this session. We are all receiving significant numbers of emails from the public, and it would be absolutely the wrong thing to do to delay this debate still further. We need to lance this, we need to get this done and dusted, and tomorrow is the day to do that on. I hope Members will support me in that frame.

The Bailiff:

Is the appel called for? The appel has been called for. I invite Members to return to their seats. I ask the Greffier to open the voting. If all Members have the opportunity of casting their votes, may I ask the Greffier to close the voting. I announce the proposition has been defeated:

POUR: 12		CONTRE: 33		ABSTAINED: 0
Connétable of St. Saviour		Connétable of St. Helier		
Deputy M. Tadier		Connétable of St. Lawrence		
Deputy K.L. Moore		Connétable of St. Brelade		
Deputy S.Y. Mézec		Connétable of Trinity		
Deputy Sir P.M. Bailhache		Connétable of St. Peter		
Deputy T.A. Coles		Connétable of St. Martin		
Deputy B.B. de S.V.M. Porée		Connétable of St. John		
Deputy D.J. Warr		Connétable of Grouville		
Deputy H.M. Miles		Connétable of St. Ouen		
Deputy R.S. Kovacs		Connétable of St. Mary		
Deputy K.M. Wilson		Deputy G.P. Southern		
Deputy M.B. Andrews		Deputy C.F. Labey		
		Deputy S.G. Luce		
		Deputy L.M.C. Doublet		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy I. Gardiner		
		Deputy I.J. Gorst		
		Deputy M.R. Scott		
		Deputy J. Renouf		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy L.K.F. Stephenson		

8. Suspension of Deputy P.F.C. Ozouf of St. Saviour (P.96/2025)

The Bailiff:

The next item of business is the Suspension of Deputy Ozouf, lodged by the Privileges and Procedures Committee. I understand, Deputy Bailhache, you have a point of order you wish to raise at this stage, is that correct?

Deputy P.M. Bailhache of St. Clement:

If I may raise 2 points of order for your consideration. Standing Order 21AA provides that a proposition to suspend a Member as a neutral act, and I quote: “Must propose the duration of the suspension.” P.96 states that duration of the suspension is, and I quote: “Until his pending court case is concluded.” There are 2 questions. The first one for you is: does the proposition mean that the suspension lasts until sentenced by the Royal Court, or until the conclusion of any appeal against sentence to the Court of Appeal, and is the proposition out of order for not specifying precisely the duration of the suspension? The second question is: if the proposition is ruled to be in order on the basis that the suspension continues until the conclusion of any appeal in relation to the pending court case, which might not be until the autumn of 2026, would the suspension continue in force if Deputy Ozouf had been re-elected by the public at the elections on 7th June 2026?

The Bailiff:

Having considered the contents of the proposition and the report, my ruling is that the words: “Until his pending court case is concluded” is until he is sentenced by the Royal Court, which I understand will take place at some point early next year. The proposition is in order and can be debated.

Deputy P.M. Bailhache:

Thank you. May I make a second point, which may be a point of order for your consideration. I would like to propose, without notice under Standing Order 80, that Standing Order 21AA(2) be suspended for the specific purpose of allowing a public debate on P.96. Paragraph (2) of that Standing Order provides: “The debate on a proposition lodged under this Standing Order must be held in camera.” If that paragraph is suspended, the usual rule will apply, and the debate will be held in public. That is my purpose in proposing the suspension of the paragraph. The Greffier has drawn to my attention a ruling made by one of your predecessors on 19th May 2009, and I need not disclose who that predecessor was.

The Bailiff:

We all know who it was. It was one Sir Philip Bailhache, whose ruling you are now challenging 16 years later.

Deputy P.M. Bailhache:

A ruling made by one of your predecessors that on a literal reading, Standing Order 80 did not permit part of a Standing Order to be suspended. It is always open to a presiding officer to vary a ruling given by one of his predecessors, and my contention is that in this case you should do so. There are 5 points that I would make. The first is that the 2009 ruling was made *ex tempore*, that is to say without time for reflection or deep consideration. Secondly, as a general rule of interpretation, the greater includes the lesser, the *a fortiori* argument. If there is power to suspend the whole of a Standing Order, there is power to suspend a part of it. Thirdly, the 2009 ruling should be regarded as restricted to the Standing Order then in question, Standing Order 63(1), which limited in time the asking of an oral question and should not be regarded as having a general application. For all we know, the presiding officer in question did not intend it to have a general application. The fourth point is that Standing Order 21AA(2) infringes a fundamental rule of democracy, namely that debate in a democratic assembly should take place in the open so that people can hear what is said by their representatives. Fifthly, it should therefore, in my contention, be open to Members to decide whether or not to suspend the paragraph of the Standing Order in question in an appropriate case. Whether this case is appropriate will be a matter for debate if you allow the proposition to be moved. I am not asking for a general ruling. You could rule only in relation to paragraph (2) of Standing Order 21AA,

and I accordingly ask for your leave to move under Standing Order 80 that Standing Order 21AA(2) be suspended.

The Bailiff:

Standing Order 80 provides that a Member of the States may propose without notice that one or more Standing Orders may be suspended for a specified purpose. It has been understood for the last 16 years that that Standing Order does not permit suspension of part of a Standing Order. I accept that it is possible for a presiding officer to differ from the ruling of a previous presiding officer, but in my judgment only in circumstances where they are satisfied that the earlier ruling was wrong. I note from Erskine May, the Speaker's rulings constitute precedents by which subsequent Speakers, members and officers are guided. Such precedents are noted, and in the course of time may be formulated as principles or rules of practice. They are an important source of determining how the House, in our case the Assembly, conducts its business. It has been long understood that it was not possible or indeed appropriate to suspend part of a Standing Order. Indeed, those are the terms, in my judgment, of Standing Order 80. As to the suggestion that Standing Order 21AA infringes a fundamental rule of democracy. Well, it is the Assembly itself that has determined that propositions to suspend a Member for a certain action under 21A are determined in public, but propositions to suspend a Member as a neutral act are to be held in camera. In any event, I am satisfied that the interpretation that has held good for the last 16 years holds good today, and according to the proposition that you seek to make is not in order.

Deputy M. Tadier of St. Brelade:

I am also interested to know whether Deputy Bailhache is saying he was wrong 15 years ago. I do have an interest, as I think it might be me who moved the ruling.

The Bailiff:

That is a matter that you can raise with him on another occasion. Now, before we commence the debate, I sent some guidance via the Greffier to Members earlier on, which you were informed I would read out before the beginning of the debate. I have been asked to provide guidance on the application of Standing Order 21AA, Additional Requirements for Propositions to Suspend Member as a Neutral Act, and to remind Members of the provisions of Standing Order 82, Arrangements for Conducting Business in Camera, and the consequential impact of such a suspension in relation to Standing Order 164, Suspension of Member of the States. Members may be aware that under Standing Order 107, the Presiding Officer may direct Members not to refer to matters relevant to any proceedings pending in any court. Standing Order 104(2)(g) states that when speaking, a Member must not refer to a case pending in a court of law in such a way as might prejudice the case. Clearly, those Standing Orders are pertinent to the proposition to be debated. However, given that the debate will take place in camera, the debate ought not to prejudice the court sentencing that will take place next year or the trial of the co-defendant. Members are reminded that once the Greffier reads out the proposition, we will move into camera. All strangers are required to withdraw. The gallery will be cleared, and the public entrance will be closed.

[14:45]

The individual currently in the gallery is a log noter from the Greffe, and she is present in order to produce a transcript, and will be required to stay when we go into camera. The debate will not be broadcast on the States Assembly webcast, but will be recorded so a transcript can be produced as an historical record, but will not be made publicly available. Once the debate has concluded, we will return to public forum and the vote will be taken in public. There may need to be a short pause in proceedings to enable the webcasting to resume. I would ask that Members remain respectful of the in-camera process and keep any background discussions to a minimum during that time. I would also emphasise that any public disclosure by a Member of what was discussed during this debate held

in-camera would constitute a serious breach of the Code of Conduct. If the proposition to suspend Deputy Ozouf as a neutral act is adopted, Standing Order 164 would apply. Standing Order 164 does not remove an elected Member from office. Its application simply limits the activity of a suspended Member in the ways described. The Standing Order does not contain provisions in the event that someone is suspended as a neutral act in relation to attendance and participation in States meetings. The dictionary definition of “suspension” is an interruption or temporary revocation, and that must be the intention of Standing Order 164, whether in relation to suspension for certain acts or as a neutral act. Although the Standing Order does not specifically reference attendance at States meetings, including through remote participation, it must be the underlying purpose of suspension and therefore Standing Order 164. The other consequential effects listed in the Standing Order are additional to that fundamental. Part (1)(b) of the Standing Order therefore prevents a suspended Member from lodging a proposition, submitting any questions, or presenting anything to the Assembly. That reinforces and clarifies the conclusion that a Member suspended, whether as a neutral act or as a sanction for certain reasons, cannot participate in meetings of the States. Therefore, should the proposition be adopted, the Deputy’s parliamentary activity must cease during the period of suspension. He may not lodge propositions in his own right or submit questions. He may also not take part in the proceedings of parliamentary committees and panels, including P.P.C. and its subcommittee, or scrutiny panels and the P.A.C. (Public Accounts Committee). He may not attend briefings provided to States Members. While Standing Order 164 affects a suspended Member’s parliamentary work in the way set out, it does not, however, affect their ability to work with and on behalf of their constituents or their entitlement to remuneration as a Member. That work is an inherent part of their office as elected Member and Standing Order 164 makes no reference to constituency work. A suspended Member may therefore continue with their constituency work, although whether they do so is a matter of personal and political choice for the Member concerned. That means a suspended Member may still meet constituents and act on their behalf provided that to do so does not involve the parliamentary work they are prescribed from doing. They may therefore correspond with government departments and others on constituents’ behalf, and they may access those services provided by the State’s Greffe for constituency work. As a result, a suspended Member must continue to have access to the Microsoft account provided for all elected Members so they can use their email account and can communicate. They would therefore continue on the email distribution and in the Microsoft team for all Members. I also remind Members attending remotely that they are bound by all the obligations in relation to this in-camera debate as Members who are present in person. We now move into camera.

Deputy M. Tadier:

I do have a point of order. I was asked before the meeting by a member of the public about the usual Hansard and the filming of this. I said I would imagine it would not be filmed because it is in camera. You mentioned the Hansard already. Is the Hansard being produced in the normal way or are there special provisions being made for that? Given the fact that one of the prime drivers for this being in camera, although it is in the Standing Orders, is that there is an impending court case coming up. The question I was asked was, when the court case has been concluded, whether the transcript will ever be published at some point. Even indeed for, you mentioned the historical records in terms of, is it F.O.I. (Freedom of Information) able in 30 or 100 years’ time, et cetera, under those provisions?

The Bailiff:

I will discuss that briefly with the Greffier. Deputy, the position is that it will not be recorded. It will be transcribed and password protected, and there will be a copy of the transcript available for Members of this Assembly only to inspect if they need to, or wish to, at the offices of the Greffier.

Deputy M. Tadier:

Just for the record, presumably it is not necessarily verbatim in the sense that when a transcript is recorded in the same way and it is outsourced, I still think it is done verbatim, whereas this will be a note form?

The Bailiff:

It is produced in the same way, so it will be accurate to the same standard. I will revert to, in relation to the F.O.I. question that you ask.

Deputy M.R. Scott of St. Brelade:

Is there a definition for “neutral act”, and is there a definition of “constituency work”, because I note that the Member, if this Standing Order is applied, cannot lodge propositions or ask any questions. So, in my mind that can be part of constituency work. So, a definition would be useful. Thank you.

The Bailiff:

You will need to make do with the ruling that I have given for the time being.

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

Out of interest, during a period of suspension, may a suspended Member refer to themselves as a States Member?

The Bailiff:

They remain a Member, so yes, they are entitled to refer themselves as a States Member. We now move into camera, after the Greffier has read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion – to agree to suspend Deputy Philip Francis Cyril Ozouf of St. Saviour as a neutral act in accordance with Standing Order 21AA with immediate effect until his pending court case is concluded.

The Bailiff:

We now move into camera.

[Debate proceeded in camera]

The Bailiff:

The debate has now concluded and the appel will take place in public. Therefore, I am going to give a moment for any strangers who wish to return to the gallery to do so, and of course Members to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce the proposition has been adopted:

POUR: 31		CONTRE: 8		ABSTAINED: 6
Connétable of St. Lawrence		Connétable of St. Helier		Connétable of Trinity
Connétable of St. Brelade		Connétable of St. Saviour		Deputy P.F.C. Ozouf
Connétable of St. Peter		Deputy C.F. Labey		Deputy D.J. Warr
Connétable of St. Martin		Deputy K.L. Moore		Deputy M.R. Scott
Connétable of St. John		Deputy Sir P.M. Bailhache		Deputy K.M. Wilson
Connétable of St. Clement		Deputy R.E. Binet		Deputy M.B. Andrews
Connétable of Grouville		Deputy A. Howell		
Connétable of St. Ouen		Deputy T.J.A. Binet		

Connétable of St. Mary				
Deputy G.P. Southern				
Deputy M. Tadier				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy H.M. Miles				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				

Accordingly, Deputy Ozouf is suspended until sentenced by the Royal Court.

9. Draft Harbours (Inshore Safety) (Jersey) Amendments Regulations 202- (P.3/2025)

The Bailiff:

The next item is the Draft Harbours (Inshore Safety) (Jersey) Amendments Regulations, lodged by the Minister for Sustainable Economic Development. The main respondent is the Economic and International Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Greffier of the States:

Draft Harbours (Inshore Safety) (Jersey) Amendments Regulations 202-. The States make these Regulations under Article 4 of the Harbours (Administration) (Jersey) Law 1961 and Article 49 of the Shipping (Jersey) Law 2002.

The Bailiff:

The debate resumes following the adoption of the principles on 8th July and the referral of the matter to scrutiny, so we are now in the Second Reading. Minister, how do you propose the regulations?

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

Sir, *en bloc*.

The Bailiff:

Do you wish to address the Regulations?

9.1 Deputy K.F. Morel (The Minister for Sustainable Economic Development):

Yes. I am pleased that the Scrutiny Panel has conducted their review and concluded their review with no amendments to the draft regulations, and with the endorsement that the proposition represents an important step towards enhancing sea safety. The review resulted in several findings and recommendations, which I have addressed in an addendum to the lodging report. The objective of this proposition is to make Jersey's territorial waters safer for all, strengthening our maritime legal framework and increasing user accountability. The proposition introduces new offences for dangerous and careless operation of a vessel, including where serious injury or death has occurred, and aggravated offences for when alcohol or drugs are involved. The proposition also grants the police and harbourmaster new powers to breathalyse vessel operators based on reasonable suspicion of careless operation or serious harm. This expands the current law which only permits stopping a vessel for reckless operation but does not mandate testing; no standalone offence for operating a vessel while under the influence. However, to ensure those who use our waters are doing so safely I am introducing an offence for careless operation while under the influence. This offence will allow for breath testing based on suspicion of careless behaviour without the evidence or suspicion of injury or fatality. The aim is to avoid penalising responsible operators. There is no evidence of a consistent problem of people dangerously operating vessels while under the influence, thus I am not introducing random breath tests, making the offences proportionate to the level of risk. I think it is appropriate to say here that rather, enforcement will be based on reasonable grounds for testing. This approach mirrors that of other jurisdictions, including the U.K. and Guernsey, where random testing does not occur. This is also consistent with the Road Traffic Law where police officers cannot randomly breath test drivers without reasonable suspicion or lawful cause. To support joined-up working between Ports of Jersey and States of Jersey Police during the course of maritime investigations, the 2 parties have agreed and signed an enforcement memorandum of understanding. What I am proposing is a measured approach. While our waters are not currently deemed unsafe, P.3 will provide clarity on acceptable and unacceptable conduct, providing greater accountability for all sea users, helping to prevent incidents before they occur. I urge States Members to adopt the proposition. There is an enforcement case which occurred in the summer where the involvement of alcohol was strongly suspected by Ports of Jersey but they were powerless to breathalyse. This proposition could have enabled that if it had been adopted. This proposition represents an important step in strengthening our maritime law, ensuring it is fit for purpose in protecting all who enjoy our waters, establishing clearer duties and legal responsibilities, and ensuring proportionate charges can be levied against those who behave improperly. I ask States Members to support the Regulations.

The Bailiff:

Thank you, Minister. Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations?

9.1.1 Deputy M. Tadier of St. Brelade:

I am speaking to the regulations as a whole really so there may be some that I will focus on more rather than others in my comments.

[16:15]

As the Minister has obviously moved the comments *en bloc* I presume that is okay to do in terms of process. So of course I am only speaking once and I think we will decide whether we want to ask

for an particular Article to be taken separately. First of all, can I thank the Assembly for their indulgence - they did not really have any choice in this because it was called in - and for their patience, but also thanks to the Minister and of course the stakeholders that were involved as we, I think quite rightly, did call this in for scrutiny. Just to remind Assembly Members why we did that, we really had 2 main areas of concern; one was that we wanted to first of all understand the memorandum of understanding between the States of Jersey Police and the Ports of Jersey, not just to understand the M.O.U. (memorandum of understanding) but also to understand what that meant for the working relationship in reality as it will be from now on between the 2. We have to point out the fact that had we passed these Articles at the original debate before the summer recess we would have been doing it at a time when the M.O.U. had not been finalised and when it had not been signed. We certainly had concerns about some of the content in that. If I am honest - and the comments reflect that - we have issued of course by now 3 lots of comments paper, so an initial comments paper when the principles were debated in July, a second comments paper earlier last week, and then we did put a third comments paper after we have had some further interaction with the Minister. Following the deferral of the debate the panel does remain concerned, both around the clarity and the content of the memorandum of understanding between the States of Jersey Police and Ports of Jersey. In our comments paper on 17th October the panel made 7 findings and 8 recommendations, highlighting in particular the lack of clarity surrounding the enforcement of the draft regulations set out in the M.O.U. The Minister for Sustainable Economic Development did respond to us on 20th October. As I speak I realise I probably got my chronology slightly wrong. This was the second paper we issued in October, and then the final paper last week. The Minister included responses to the panel which were published and that we have put in our annex in our final comments paper. The panel welcome the publication of the M.O.U. but, as I have said, we note that there are earlier key findings and recommendations which we do not think have been reflected in the updated version. For example, on 24th October we wrote to the Minister to highlight our ongoing concerns about elements in the M.O.U. The panel reiterated our recommendations based on the report. We did engage an expert adviser, particularly around the inclusion of dispute resolution mechanisms and financial arrangements. Following the Minister's response we remain concerned that the absence of clearly defined roles and responsibilities among the agencies tasked with enforcing the draft regulations, as well as the omission of essential information as highlighted in the expert adviser's report. Why is this important? Well, I think there are 2 ways to look at an M.O.U. One is that it is a fairly informal, flexible document which can be slightly light on detail as to what is expected by both parties. I do not want to be putting words into the mouth of the Minister but we feel that is perhaps the direction that the Minister was explaining the current M.O.U., or that is our assessment of it. Whereas our view and that of our adviser is that there really are key things that you would expect to see in an M.O.U. and that the more wiggle-room ... wiggle-room can be seen as a good thing but if it means that in future there is uncertainty about who is responsible for what in terms of delegation of responsibilities, who investigates what, then it becomes possible that we are storing up problems for that relationship in the future. Why is this important? It is because we are effectively introducing new criminal responsibility for potential matters that would take place in harbours and offshore in Jersey waters. It really is, therefore, important to know who is going to do what in any given situation. There are still things in the M.O.U. between Ports and States of Jersey Police, and I will give an example. In paragraph 4 of the M.O.U. it says that: "Ports of Jersey may" - we have underlined may and put it in bold - "refer incidents of this nature to the States of Jersey Police. The ultimate decision will be made by the States of Jersey Police as to which organisation will take primacy and who will lead the agency in the investigation." We asked: "Can you please clarify, Minister, under what circumstances Ports of Jersey may refer to incidents to the States of Jersey Police." The answer was that: "Ports of Jersey may refer any incidents that exceed its investigative capacity or involves suspected serious criminality, including when serious injury occurs." If Ports of Jersey "may" refer incidents to States of Jersey Police we have asked: "Can you clarify how the ultimate decision will be made on who will take primacy for that?" So there is almost a chicken and egg going on here in

terms of decisions really not being put down in black and white as to who will investigate what. One example is if a death takes place at sea. It remains to be seen whether that death involves any criminality, so was that death as a result of some negligence of somebody on board? Was the death a result of something which may end up being the equivalent of manslaughter or that may involve one of the new charges, which is death by dangerous operation of a vessel, or death by careless operation of a vessel? Of course, until you know whether or not that criminality has taken place it is still to be determined. Who is going to be first at the scene in any of those situations? It is very likely that it is going to be a Ports of Jersey harbourmaster-type of person, rather than States of Jersey Police, simply because States of Jersey Police do not have boats. So it is going to be of course the Ports of Jersey who are going to be first on the scene. I think we still have concerns, notwithstanding some of the reassurances that we have been given, around things like collection of evidence. I think it is called P.P.A.C.E. (Police Procedures and Criminal Evidence), the collection of criminal evidence. If at the arrival of the scene of a crime how do we know, for example, that Ports of Jersey are going to have the wherewithal and the sufficient training to determine first of all whether there is any criminality that needs to be looked at, and what point do they get the States of Jersey Police involved in that. So we have issued comments. I know that we are all human - I mean, we have learnt that, have we not - and I do not expect everyone to have necessarily forensically read any or all of the comments papers, but I do emphasise the fact that these are there for Members to look at. Certainly we would not have felt comfortable passing what was put to us before July without having looked at this. I would say that we are slightly more comfortable passing this but I am not sure that certainly when it comes to the M.O.U. that there is still enough detail in there. On one level I would be saying to the Minister we accept his point of view that the M.O.U. is very much a living, working, document and it is something which will constantly need to be reviewed. We hope that of course a lot of the offences which are referred to and created in these new regulations do not need to be ever used, but of course that is a blue sky and maybe a blue water kind of world that we are thinking about. We know the reality is that there have been gaps in the law and this legislation in itself is both necessary and will hopefully be useful, but we hope it will be used in rare occasions. The next point I think we have to get on to here - because I think it does need at least some modicum of debate - is what I can only call the contradictory position that we may be sending out; the contradictory message when it comes to the consumption of alcohol and to a lesser extent the consumption of drugs, although it could easily be drugs when in charge of a vessel. It becomes a slightly circular problem in a sense. First of all we have to remind ourselves that P.3 is also seen in the context of P.4, which we passed earlier in the year. The definition of what a vessel is, is very broad. It can be anything from a kayak to a surfboard, a paddleboard, a jet ski, a speedboat, a sailboat or a very large vessel and anything in between. That can both be a good thing and a bad thing. It is broad but it also means that it very much relies on sensible policing when it comes to how one applies both the public interest and the evidential tests in what constitutes perhaps the dangerous or careless operation of that vessel. Clearly somebody going out on a paddleboard or on a kayak when they might have had a couple of beers, the damage they are likely to do is completely different to somebody who might be in charge of a large powerboat who is still in inshore waters, in terms of who they are likely to injure. The message has to be - whether it is from Scrutiny or the Minister - do take care when you are on the water, and it is always preferable not to drink and to be in full control of your body but also in control of the vessel that you are commanding. But that is not what the law says. The law, unlike the Road Traffic Law, says that it is perfectly okay to get behind the wheel of a boat if you have had lots to drink. There is no legal impediment to doing that, which is completely different of course to what we would expect nowadays in a car. In fact, it is a longstanding practice that you do not drink and drive, and drink and drive limits have only ever come down. The problem we have got within the law and in some of these cases is that it becomes an aggravated offence if you have drunk. Drinking in itself is not wrong in the eyes of the law; if you are going on to a boat you can do that. You can do that only if you can still maintain the ability to drive without being careless, without being dangerous, and certainly without injuring somebody or, in the worst case scenario, killing somebody. So the answers

we got back from the Minister when we questioned the logic of this was very much that the point is you can be drunk and be perfectly able to steer a boat, and you can go out on a long journey and come back in and do that very safely; you do not commit an offence. But you can be completely sober and of course still commit an offence if you are steering that boat carelessly or dangerously, so the 2 are not inherently linked. Where it does become a problem is if you commit an offence and you have been drinking, or you have been taking drugs, and you are over the limit that you would be in a car, then that becomes an aggravated offence where you would attract a higher penalty. It takes something for me to get my head around that, as I say, if we are using the Road Traffic Law as the starting point for introducing these new regulations and these new criminal acts, why do we not just simply copy and paste what is in the Road Traffic Law and say, for clarity: "If you would not have 2 pints of lager and get in a car, if you would not drink half a bottle of wine and get in a car, then you should not also be getting behind the helm of a boat." The arguments of course come back about proportionality, saying the sea is a very different place to the roads, there are not as many vehicles in the sea, you have got vast open spaces. There are also a cultural difference in the way that drink sometimes goes in hand and you might use your yacht, shall we say, for leisure purposes as well as just for transportation purposes. All those things are true, so we accept that there has to be a level of proportionality in that. But it seems to me that, if the Minister were minded to, none of these things would be insurmountable. For example, you could make it quite clear that you would not be committing an offence if you were moored up in your boat, either close in or further out to sea, and you were sleeping for the night, you had a few drinks and you were sleeping it off and you waited until the morning until you were sober and then left. Nobody is going to come and knock on your door or your window in the middle of the night to breathalyse you in your sleep because, first of all, there would be no public interest in that, but it also could be phrased so that it was not an offence to simply be drunk on board of a vessel, you would have to be in charge of a vessel.

[16:30]

So I leave it to Members to consider whether they think that the new criminal acts being proposed are sufficient and that they go far enough, and whether it becomes problematic to say to somebody who has an accident at sea ... and I think this is the very real scenario about why there is a strong argument to say we should legislate at some point in the future in the same way we would do for vessels. I will give Members a scenario. Somebody is driving their car from Gorey to St. Clement's Parish Hall and they are using the coast road. At some point they hit somebody and they kill somebody, so a very serious incident takes place. Now, that person has also been found to have been drinking and it also transpires that the person that they have hit, they could not have done anything to avoid them whether they were sober or drunk. So in fact this person has put themselves in the middle of the road, they have jumped out, they did not see the car, the car did not see them, and they had no choice but to hit them and that person died. The person was not speeding, they were doing maybe 35 miles an hour, that person went to the hospital and died. The person who has been drink driving there will be guilty, irrespective of whether or not they were technically in the wrong. They cannot plead to the court saying: "Well, that person jumped out on me." There might be some mitigation in that but it is death by dangerous driving while you were under the influence of alcohol is a standalone offence, as it would be in a boat. But of course if you are driving along and you kill someone and you have not been drinking, and you can prove it was a genuine accident, there will be no consequence for you. But the scenario the other way around is that if you are on a road and you drink, you do not hit anybody and you get home in one piece because you are an excellent driver - like in "Rain Man" I think: "I'm an excellent driver" - you have committed an offence nonetheless because you could have hit someone on the way back. You were taking an unnecessary risk and it does not matter whether you are the best driver in the world, you are a couple of units over the limit, you will feel the full force of the law if you get stopped and breathalysed. But if that happens on a boat: fill your boots. That is the message that I think the Minister is sending out today in passing this legislation. This is not something that we as a panel were entirely comfortable with. We are

evidence-based as a panel; we do not have the full evidence that we have received in terms of our feedback from the public on this matter. Most of the submissions admittedly did come from the boating fraternity who very much came up with reasonable arguments that I made at the beginning about proportionality and not comparing like-for-like when it comes to road and the sea. I think, simply, it would have been remiss of us as a panel to have proposed any alternative to that, notwithstanding of course the fact that also it is not necessarily the job of Scrutiny to propose alternative policy; it is for us to scrutinise the policy of the Minister. So what we would say to the Minister ... and I think there has been a little bit of a *rapprochement* hopefully over the course of the review. I certainly can see the other side, even if I may still hold some views that say let us do it in a certain way perhaps in the future. We would say to the Minister very strongly: "Let us keep this under review." I think he has given an assurance that certainly the M.O.U. and the rolling out of the law will be kept under review. I think there is a 2-year period in which the M.O.U. will periodically get reviewed. We as a panel are relatively relaxed; relaxed is maybe the wrong word. We are relatively comfortable that we have probably done a large amount of necessary scrutiny on this and that we think that some of these matters will be referred to in future. In closing I would say of course that there are different ways to do things. While we do not make alternative policy we are always mindful of other jurisdictions, how they do things, counterfactuals, things that could be done that are not currently being done. One would point out that certainly Bermuda is a very interesting example. I think I am right in saying that they have quite recently in the last 10 or 15 years introduced quite holistic legislation around their maritime sector, which does include of course the fact that you cannot drink and be in charge of a vessel, but there is also very proactive policing that goes on. So what I do know from our review is that there is already some very good information that is put out there by Ports of Jersey in terms of case studies that are being done about safety at sea. If you did not know where to look for them you might not know but we would hope that those in the boating community are aware of them. We would urge also that the Minister engages in an education programme, because whether it comes to safety on the road or safety at sea these things really need to go hand-in-hand with education. We know there is a different starting point when it comes to boats, as many told us during the review. The difference between a car and a boat is that you do not need a licence to have a boat, you just need the money. If you can go out there and buy yourself a big yacht or a big powerboat and you can dock it and have insurance then you are free to go. That certainly would not happen with a Ferrari or a Porsche, but it does happen when you are at sea. It is, therefore, even more important that there is the culture of safety when it comes to sea. So I leave the comments there. There are no doubt things that I have missed. I would like to thank the panel members for their support in this review, which seems to have gone on for a long time. I thank also our adviser who I thought brought some clarity as an external person, which we may have lacked because sometimes you can get too close to the subject material. I will leave my comments there.

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

I thank the chairman of the panel for the panel's comments. I would just like to question the definitions that the Deputy refers to. I see the definitions as being very difficult to apply. In my experience of some 60-odd years boating I have found incompetence and negligence is not always the same thing. Someone might buy a sailing boat with lots of enthusiasm of sailing it, but they will never be able to, and they are at the behest of the weather. So I think any definition with regard to boating is, as a necessity, broad and grey. I think on balance that the proposals from the Minister are probably as close as can be got to some sort of framework around the law as proposed.

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

I heard with interest the panel's deliberations on this subject and note that they accept there is a different culture in terms of the sea, as it were, and a whole different kind of landscape. I just noted that with the second comments a large amount was redacted - at least in the version I have got - and so I think maybe they might look at that. But also the idea that there should be a kind of parity

between road offences and sea offences; it could be just taken further and further and perhaps not resolve the ... you need a driving licence to have a car, not for a boat, and that does not seem to have been explored. I do accept though, and I think everybody needs to accept, there could be more work to be done in terms of M.O.U.s. I just regret that a summer has passed and these regulations were not in place for the last summer season, and I am glad that nothing similar to the accident that prompted them has happened.

9.1.4 Connétable R.D. Johnson of St. Mary:

I rise very briefly to thank Deputy Tadier for his comments, particularly in relation to M.O.U.s being a living document. The Minister for Treasury and Resources I am sure will attest to the fact that she is regularly questioned about the current M.O.U.s. My political career began by my being on the Economic Affairs Scrutiny Panel whose first job was to scrutinise the incorporation of Ports of Jersey, and we went into the M.O.U. with some gusto at that stage. We have since been back on that and I view - and I am sure most panels view - the M.O.U.s as very much a living document. I take it that the Economics panel will in their latest report highlight this particular matter. As an aside, I wonder if in considering future enforcement the Minister will accept that it would be a very good recruiting exercise if police launches could be made available to each of the Parishes to enable them to enforce the drunk-in-charge aspect, but perhaps that should be left to the next Budget.

The Bailiff:

Thank you, Connétable. Does anyone else wish to speak on the Regulations in Second Reading? I call upon the Minister to reply.

9.1.5 Deputy K.F. Morel:

I thank the chair of the panel and his panel members for their hard work in undertaking this review, and for their comments. I really do appreciate them. I will start with the last comment first because I have visions of the Connétable of Grouville launching from Gorey to go on the high seas with his police launch; the Parish launch. Certainly something for the next Assembly perhaps. I think it is really important to understand the separation between the memorandum of understanding and the actual regulations we are voting on. I think the panel's work on the memorandum of understanding is helpful and I am grateful for it. But we are not voting on the memorandum of understanding. The memorandum of understanding between Ports of Jersey and the States of Jersey Police is a document to help those 2 organisations navigate their own relationship. As Deputy Tadier said, it is a document that will be a living document. It will be reviewed by them on a regular basis and it is entirely appropriate - as the Constable of St. Mary has just said - that the Scrutiny Panel and future iterations of the Scrutiny Panel keep it under review as well. But from our perspective it is very important for this Assembly to understand that we are not voting on the memorandum of understanding. That document represents the wishes of the chief of the States of Jersey Police and the harbourmaster as to how they wish to navigate their own relationship between their 2 organisations. As such, I think it is important that - while maintaining an eye on it - we do accept that it is not our place to determine their relationship and how they work together. It is right that they do that themselves and they have started that with this memorandum of understanding. Them being happy with it is the most important factor. It is worth me talking a little bit about my views in terms of proportionality. The birth or inspiration so to speak - if that can be the correct word - for this law came from noticing several holes, and most notably one large hole, in the current regulations, which basically mean it is not possible to oblige any boat operator to undertake a breath test or any other test to determine whether they have had alcohol or drugs. That is the situation we are in today. There is no way of obliging that testing. The principle aim from setting out that part of the regulations was about bringing in the ability to oblige to breath testing and to do so in a proportionate manner. The proportionate part comes because it is truly my belief, and I think it should always be the view of the Assembly, that we legislate proportionally. We do not legislate to the extremes and we do not legislate in a way

that does not take the Island's population with us, because ultimately every law we put in place - whether it is in financial services or boating or anywhere else - impacts a freedom somewhere. It is guaranteed to be taking something from somebody somewhere, so we need to know that we are taking that freedom in a proportional way. I believe the regulations do exactly do that. Part of the reason is - and I think the Constable of St. Brelade said this very well - that definitions are more difficult on the sea. The road has a far, far higher density of users than the sea does. Far higher. Almost impossible to calculate how much higher the density of people is on the road compared to the density of people on the sea. The idea of being drunk in charge of a vehicle on land is very different to being drunk in charge of a vehicle on the sea.

[16:45]

The chair of the Scrutiny Panel did refer to that idea of falling asleep. Many people arrive in Jersey from elsewhere, that is their hotel room for the night as much as it is their transport home. So obviously they can go out, go and drink a merry amount and then have to go back to that vessel and they are then in charge of that vessel, but that is their hotel room for the night. I agree, it could be worked around, but it would complicate things certainly. Equally though, sadly, not everyone is sober when they wake up in the morning. I know the States of Jersey Police sometimes do patrol in morning times because they are concerned that people can have been drinking the night before, had a few hours' sleep and jump back in their cars. But the impact on boatowners I think would be very different and would perhaps be unnecessary. I think as well there is a reality around enforcement of very clear, defined roles around whether you are drunk in charge or not. I think there would be enforcement problems around that. I completely agree with Deputy Tadier about education. It is really incumbent on both the Government and Ports of Jersey to ensure that education is provided to all boat owners. It is an area that we need to constantly engage with and I know Ports of Jersey do, and I will work with them to ensure that we continue that level of education to make people understand there is a new regime if these regulations are passed, but also that regardless of whatever legal regimes are in place they should always be operating their boat safely. My view is, if you are operating a boat it is better and it is always preferable not to have been drinking or taking drugs before operating a boat. But I do know that particularly when it comes to having a drink people do entertain on a boat and suchlike, so the message is always: "Operate your vessel safely, and if you have been drinking it is preferable not to go and take out your boat." I think these regulations though do give powers to the harbourmaster which mean the harbourmaster can now enforce in a way that he could not previously. That is the most important thing. It is important - as Deputy Scott mentioned - that we do not let another summer go where it is not possible for the harbourmaster to oblige someone to take a breath test. We must not do that for another summer. We can strengthen these, and this was always my view. If we do need to move in the future to a situation where the sea is viewed as the road we, as an Assembly, can do that. These regulations do not stop that happening. This is just a different step; it is not even a smaller step it is just a different step that I believe is more appropriate for the seas and for boat users. So with that in mind, I do ask the Assembly to support these regulations. I think they do give powers to the harbourmaster and the States of Jersey Police that are currently not there on the statute book and are needed on the statute book, and I do ask all Members of the Assembly and the Scrutiny Panel do please keep reviewing. I am not saying this is the end of the journey, I am saying this is the next step on the journey. So I ask Members to support the regulations.

Deputy M. Tadier of St. Brelade:

Could the Minister clarify a point?

Deputy K.F. Morel:

Of course.

Deputy M. Tadier:

Could the Minister clarify when he says to give the harbourmaster powers to insist on a breath test that that is only in a scenario where another offence has been committed - dangerous or careless operation of a vessel - so when they suspect that offence has been committed and when they suspect that the person has been drinking. It is not just a licence to go around breathalysing ordinary, otherwise law abiding, users of the sea?

Deputy K.F. Morel:

That is correct. I said so at least, I believe, in my opening address and that is similar to the Road Traffic Law. It is not possible to just randomly breath test road users. There has to be cause, there has to be a reason for a police officer to suspect, and this is very similar to that. If the harbourmaster or his officers have reason to suspect that somebody has been operating a boat carelessly or dangerously then they have the ability with these regulations to ask for a breath test. I feel there may be another question coming.

Deputy M. Tadier:

Can the Minister clarify it is not the same as the road, because a police officer can just insist on a breath test if he or she thinks somebody has been drinking, because that is the offence, but that does not exit of course when it comes to these regulations?

Deputy K.F. Morel:

There is a slight nuance, I agree. The police officer who has reason to believe, perhaps they have seen somebody drinking for a few hours and then gets in their car, they can go then. In this case it is about the actual conduct of vessel. There needs to be the suspicion of careless or dangerous operation of a vessel. But in my view - and I believe in the view of others - that is an appropriate step in this case because again it is difficult necessarily to know whether someone has been drinking before they got on a vessel or not. They could have been on that vessel drinking.

The Bailiff:

Is the appel called for?

Deputy K.F. Morel:

Yes, Sir.

The Bailiff:

You are asking Members to consider Regulations 1 to 5 inclusive, Minister?

Deputy K.F. Morel:

Yes, Sir.

The Bailiff:

Members are asked to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the regulations have been adopted in Second Reading:

POUR: 43		CONTRE: 1		ABSTAINED: 0
Connétable of St. Helier		Deputy G.P. Southern		
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				

Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy M.B. Andrews				

The Bailiff:

We now move to the Third Reading. Do you propose the matter in Third Reading, Minister?

9.2 Deputy K.F. Morel:

Sir, I do, yes.

The Bailiff:

Are the regulations seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the matter in Third Reading? All those in favour, kindly show. The regulations are adopted in Third Reading.

10. Draft Regulation of Care (Jersey) Amendment Law 202- (P.57/2025)

The Bailiff:

The next item is the Draft Regulation of Care Amendment Law, lodged by the Minister for the Environment. The main respondent is the chair of the Health and Social Security, Regulation of Care Scrutiny Sub-Panel. I ask the Greffier to read the citation.

The Greffier of the States:

Draft Regulation of Care (Jersey) Amendment Law 202-. A law to amend the Regulation of Care (Jersey) Law 2014, the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018 and the Public Finances (Jersey) Law 2019, and for related purposes. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law.

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

This Draft Regulation of Care Amendment Law represents a significant and necessary step in the continued development of Jersey's framework for the independent regulation of health and social care services. It extends the scope of the Regulation of Care Law, enabling the Jersey Care Commission to regulate additional services, especially hospital care, Government provided mental health services, and ambulance services. These are critical components of our health system and it is right that they be subject to the same independent scrutiny and standard as other regulated services. The draft law would also extend regulation to laser clinics, which are already regulated under the Nursing Homes Law, and also hyperbaric oxygen therapy. The Regulation of Care Law was adopted in 2014 following extensive consultation and policy development. It established the Jersey Care Commission as an independent body responsible for regulating care services, ensuring that they are safe, effective and centred on the needs of those that use them. The 2014 law was adopted with a long-term objective of regulating all Jersey's health and care services. Since its implementation the law has been extended in phases. The first phase regulated home care, adult daycare and care home services including children's homes. The second phase extended regulation to children's social care and outpatient mental health services. Each phase has been informed by consultation, evidence, and a commitment to improve standards. This amendment represents the third phase of implementation and it is a natural progression and one that has been long anticipated. It reflects our ongoing commitment to ensuring that all care services - whether delivered in the community, in residential settings or in hospitals - are subject to independent oversight. The Assembly approved funding to regulate hospital and ambulance services in the 2023 Government Plan. This followed a public petition to regulate hospital services, which was launched in late-2021. So far health services and the Care Commission have had nearly 3 years to prepare for regulation. Let me now turn to the headline changes in the draft law. Part 2 of the draft law makes amendments designed to strengthen the governance and independence of the Jersey Care Commission. Part 3 describes the characteristics of the new services that will be regulated, including hospital and most government-provided health services including mental health services, ambulance services, and those laser clinic services that are currently regulated under the Nursing Homes Law 1994. That law will be then repealed. Finally, the hyperbaric oxygen therapy services. Part 4 amends the eligibility criteria for members of the board of Commission, and part 5 amends the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018. This legislation matters because it is about protecting people, particularly those who are vulnerable, unwell, or in crisis. Hospital care, mental health services, and ambulance provision are among the most critical services that we offer. They deal with people at their most vulnerable. They must be safe, effective and compassionate. Independent regulation helps us to ensure that they are. This amendment also brings Jersey into closer alignment with international standards, including those of the O.E.C.D. (Organisation for Economic Co-operation and Development) and the U.K. Care Quality Commission. It demonstrates our commitment to transparency, accountability and continuous improvement. It will also support the health and care workforce by providing clear standards, professional expectations and a framework for improvement. Regulation is not about punishments; it is about learning, development, and excellence. The development of this Amendment Law has been informed by public consultation, which took place between April and June last year. The consultation received responses from service users, providers, professionals and members of the public. The feedback was supportive. Respondents recognise the importance of independent regulation and welcome the extension of the Commission's remit. Some concerns were raised about implementation and capacity and these have been addressed in the

drafting of the law. The Jersey Care Commission itself has been closely involved in the development of this legislation. Health and Care Jersey have also been engaged throughout the process and are preparing for regulation. I would like to thank the Regulation of Care Sub-Panel for their diligent scrutiny of this draft law. The panel made 2 recommendations to me, both of which I accept. If the draft law is approved the Government will work with the Care Commission to ensure that all services are fully aware of the timescale for its implementation and how they will be affected by it. I also agree that a clear timetable for introducing regulation of further health and social care services should be produced. I plan to work with the Care Commission and other key stakeholders to develop this timetable and to publish this before the election period starts in April next year. I would then hope that the next Government will support this when it takes office later in the year. In conclusion, this proposition is about ensuring that our health and care services are the best they can be. It is not just about protecting people but also about supporting our professionals and building public confidence. The Regulation of Care Law has already made a significant difference to the quality and safety of care in Jersey. We can see that in reports published on children's services, which have demonstrated significant improvement since 2023. This amendment will extend that impact to some of our most important healthcare services. I propose the principles of the Amendment Law.

The Bailiff:

Thank you, Minister. Are the principles of the draft law seconded? **[Seconded]** Does anyone wish to speak on the principles?

[17:00]

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

I rise as the chair of the sub-panel that led the review of these regulations. I think it is clear that the Regulation of Care Law since its inception was always designed to be added to in stages. From the briefings and hearings that the sub-panel undertook it seems that amending this law at this stage is not only acceptable but has been very well-planned and very well thought through. I think the only outstanding matter that I had from one of our hearings, which I hope the Minister is either able to answer now or maybe as the debate moves on into its next stages, was about the engagement with the local charity offering oxygen therapy. We were not quite sure whether or not they were operating a hyperbaric chamber but his department was going to investigate back through. But generally, even regardless to the answer to that question, the panel supports the principles of what the Minister is proposing. Scrutiny aside now - this is my personal point for this - I am pro-regulation, especially when it comes to protecting vulnerable people. The regulatory work undertaken by the Care Commission is that which protects vulnerable people. It is interesting reading from our submissions from the Patients Users' Public Engagement Panel about their comments around psychotherapists. Though currently regulated, the Patients Panel have a strong consensus that regulation must be extended comprehensively to all areas of health and care provision. In particular their members highlighted the need to include psychotherapists which, like I have said previously, my view on keeping counsellors regulated in the same manner, and I am glad the panel supports that idea because it is something that should come forward. It is my continued belief that this is the right form of regulation and that we should all be supporting the principles.

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

I would like to thank the Minister for bringing forward this proposition. As already explained, the amendment of the law brings hospital care, mental health services and ambulance services under independent regulation, and I think Members will agree that it is only right that they are held to the same high standards as other care services that are already regulated. This amendment also brings Jersey closer to international standards, including those used by the U.K.'s Care Quality Commission, and that is good for reputation, good for recruitment, and good for Islanders. I would also like to address specifically the Scrutiny Panel's recommendation about the duty of candour. I can tell

Members that the G.M.C. (General Medical Council) provided training on confidentiality that included professional duty of candour to a group of senior medical staff during the summer of 2025, and a further dedicated session is planned for 2026. The Quality and Safety Department have received additional guidance and training to enable them to support the rollout of statutory duty of candour once the law is in place. Further guidance and training will also be made available to all H.C.J. (Health and Care Jersey) staff in December of this year. In addition, training programme options are currently being explored to ensure that once the law is in place staff across H.C.J. are ready and prepared to meet the regulatory requirement, and we note the timeframe given within the comment paper at the end of June 2026. I would like to finish by thanking the panel for their recommendation and I urge Members to support the proposition.

10.1.3 Connétable D.W. Mezbourian of St. Lawrence:

I think this the right time to raise my question. I have just got a query about the ambulance service in part 5. Is this the right time or should I be doing that when we come to ...

The Bailiff:

I think now is fine.

The Connétable of St. Lawrence:

The reference here is the provision of an ambulance service as a regulated activity, and then this is Article 32, it refers to the service as being: "... the provision of treatment or care to a relevant patient while that patient is being transported to or from a place of medical treatment." Which is fine, that is what I understand the ambulance service to be about. But they also provide care - medical treatment - when they arrive potentially at your home if you have had a fall. If someone has taken ill at home they turn up, they may be first responders, they are assessing the situation and would be providing treatment in your home, not while you are being transported to the hospital or a place for medical care. So can the Minister just speak to that please? Where is the care provided in the home covered? Does that come under regulation?

The Bailiff:

Does anyone else want to speak on the principles of this Law? I call upon the Minister to reply.

10.1.4 Deputy S.G. Luce:

Just running through the people who have spoken I will start by thanking the chair of the panel. I have had some really good interactions with the panel and, as I said, I have accepted their recommendations. But he made 2 points, the first one about the hyperbaric chamber, and I would just like to say that we are working closely with the people who implement the work of hyperbaric oxygen therapy, and at this point in time I intend to bring this law forward with that but continue to work with them before we implement the regulation of their service. We have got more work to do with them, we have identified that; but I am not going to withdraw that part of the Articles just at this particular point, but I will continue to discuss with them before we start regulation. The other thing was about psychotherapy and, as I said in my opening speech, we will come forward with a timetable. There are other things that need to be done, other services that need to be regulated, and I think that is one of them we will work with others to provide a timetable of where we are going with that. I thank the Minister for Health and Social Services. He challenged me quite a lot at the start of his term as Minister for Health and Social Services and my term as Minister for the Environment over this regulation, but I sat down with him and with the team and he has been assured - to my great satisfaction - that he is very happy with this. He has a difficult task moving from an old hospital to a new hospital and I was able to assure him with the team that this regulation will be better for both the old and the new. Finally, coming to the Constable of St. Lawrence, I would like to thank her for raising this point and I can assure her that all activities of ambulance services will be regulated and will be covered by this law, not just the section of the transportation between one place and another,

but all parts of it will be covered by that. In summing up, I would just like to reiterate that this proposition is about ensuring that our services when it comes to health and care are the absolute best they can be. This is not just about public confidence or supporting professionals; this is about protecting people. This amendment will extend that impact to some of our most important healthcare services and I commend these principles to the Assembly and ask for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seat. I ask the Greffier to open the voting. If all Members have had the chance to cast their votes I ask the Greffier to close the voting. I can announce that the principle has been adopted unanimously:

POUR: 46	CONTRE: 0	ABSTAINED: 0
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
Connétable of Grouville		
Connétable of St. Ouen		
Connétable of St. Mary		
Connétable of St. Saviour		
Deputy G.P. Southern		
Deputy C.F. Labey		
Deputy M. Tadier		
Deputy S.G. Luce		
Deputy L.M.C. Doublet		
Deputy K.F. Morel		
Deputy M.R. Le Hagarat		
Deputy S.M. Ahier		
Deputy R.J. Ward		
Deputy C.S. Alves		
Deputy I. Gardiner		
Deputy L.J. Farnham		
Deputy K.L. Moore		
Deputy S.Y. Mézec		
Deputy T.A. Coles		
Deputy B.B. de S.V.M. Porée		
Deputy D.J. Warr		
Deputy H.M. Miles		
Deputy M.R. Scott		
Deputy J. Renouf		
Deputy C.D. Curtis		
Deputy L.V. Feltham		
Deputy R.E. Binet		
Deputy H.L. Jeune		
Deputy M.E. Millar		
Deputy A. Howell		
Deputy T.J.A. Binet		
Deputy M.R. Ferey		
Deputy R.S. Kovacs		
Deputy A.F. Curtis		

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

Deputy Coles, does your sub-panel wish to scrutinise this matter?

Deputy T.A. Coles (Chair, Regulation of Care Scrutiny Sub-Panel):

No, Sir.

The Bailiff:

Thank you. Minister, how do you wish to propose the Articles in Second Reading? There are 52 in the schedule.

10.2 Deputy S.G. Luce:

I would like to propose them *en bloc* please, Sir.

The Bailiff:

Are the Articles seconded? **[Seconded]** Does anyone wish to speak in Second Reading in respect of the Articles?

10.2.1 Deputy T.A. Coles:

I promise Members that I will not speak for too long. We have issued our comments paper and hopefully Members have had the chance to read it. It is one of the shortest Scrutiny Reports that has been lodged recently, as I look to my colleague in the Children, Education and Home Affairs Panel. The panel held 3 public hearings after the initial briefing. We had a hearing with the chief inspector of the Care Commission along with the chair of the Care Commission, the Minister for the Environment and the Minister for Health and Social Services. I would like to take the opportunity to thank all officers, both from Government and the Greffe, for their participation and efforts in supporting us through this short review. The panel heard that the Care Commission were prepared, having already published their single assessment framework back in April. This single assessment framework is not a simple cut and paste from the C.Q.C.'s (Care Quality Commission) own framework; it has been reviewed and adapted to better fit the Jersey context. We are also pleased to hear that the C.Q.C. are looking at our adaptations in a way to ... when they are considering the updates of their own assessment framework. The Care Commission will also be publishing its Inspection Handbook if these amendments are adopted. It is also important to understand that the regulations proposed here are not designed to be a witch hunt and inspections are not going to be carried out with the intention to try and catch people out, but rather to encourage improvements across the services as a whole. The panel asked questions around the funding model and if there was a benefit for the service having to pay for their own regulation and inspection. However, it was considered in the Jersey context this would just be wooden dollars, and it was the opinion that funding through the Cabinet Office made things a lot more simple. But it did have to be noted that further funding will have to be provided if the Care Law is to be expanded any further. It is also important to note that the Care Commission is not here to handle complaints, and that any complaints about the hospital or any of its services should still be made through the Government's complaint process. This is one thing that we would recommend that the Minister for Health and Social Services and all government departments make clear - how complaints should be processed and handled. The panel heard from the Minister for Health and Social Services and his team about how their preparations have been ongoing, and that they believe they are ready for the inspections to go ahead. There is still to be an agreement between the Care Commission and the Health Department around the number of service managers, however the panel is not worried that this would be a big issue. We were happy

to hear from the Health team that there is an attitude that there can always be more done, which is good because it encourages things to move forward rather than standing still, because standing still leads to falling behind. On the whole, around the implementation from the Care Commission to Health, the panel is satisfied that things are in place and the transitional arrangements and inspection schedules are manageable and achievable. Though the regulation of hospital and ambulance services makes up a large proportion of the Amendment Law, there are small service providers in the form of laser clinics. The changes here represent a move away from the Nursing Homes Law - as the Minister said in his opening speech - into the Regulation of Care Law, meaning that the requirements are more specific to the use of lasers rather than the Nursing Homes Law that they previously sat in. One of the key introductions in the new Regulation of Care Law is that of the duty of candour. The duty of candour places a legal obligation on the services provider to write a letter of apology should there be a serious, notable incident which would affect a patient's health. There was concern around this duty of candour being that the letter of apology cannot be used as evidence of liability in legal proceedings. However, the panel is satisfied that the introduction of better rules for the provision of patient and care records means that evidence of liability would still be found, but it would be found through the patient records ... as the service manager has to provide clear reasons as to why those records should not be provided, otherwise they should be provided with appropriate haste. It is clear from our hearing that consultation between the Environment Department and the Health Department and the Care Commission have been very good and have ensured a good understanding. However, it seems that the wider consultation could have been better as the Patients and Users' Public Engagement Panel were only briefed during the time of this review.

[17:15]

It is always expected that when there is a change or addition to services that are to be regulated there are questions as to why one thing is being included and another thing has been excluded. It would be overwhelming for any regulator to have to undertake all the encompassing work to do so, however, that does not mean that future work and timelines should not be undertaken sooner rather than later. The panel is very happy with the regulations as proposed.

10.2.2 Deputy T.J.A. Binet:

I am not sure if this is the right point at which to make this point but I would just like to refer to something that was said by Deputy Luce. He is absolutely right; we had some very useful conversations at the beginning of the process. I just wanted to make it plain to Members that I was not fighting against having any regulation at all; my questions and discussions related more to the timing and the process and whether it was going to be all done in one go or it was going to be done sequentially. That is the nature of the discussion we had. I just thought it was important to make that clear to Members.

The Bailiff:

Thank you, Minister. Does anyone else wish to speak on the Articles in Second Reading? Minister.

10.2.3 Deputy S.G. Luce:

I thank Members that have spoken, if only 2 of them. I can only reiterate my thanks again to the panel. I thank Deputy Coles for his speech because he basically left me very little to say. He has covered many of the points I would have wished to raise but I do want to talk very briefly, if I may, about the duty of candour. Before I do that I would just like to thank the Minister for Health and Social Services again. He summed it up well. He challenged me and he was a critical friend to the proposition that I brought, and we worked together to get to a place where we are both very happy with what is happening here. But I want to talk very briefly about duty of candour because the duty will require providers to inform service users when something has gone wrong, and provide a written apology. They will have to offer a full and truthful explanation of what occurred and outline any

actions taken to prevent reoccurrence. For the first time, Health and Social Care Services will be required to admit to care receivers when things have gone wrong, explain what went wrong, and to apologise. I think this is really important. It is important that apologies are meaningful, that is why we need to ensure that they can be given freely and wholeheartedly without the fear of the apology being used as an admission of liability. An apology given under the duty of candour will not be treated as that admission of liability. This mirrors the protections in other jurisdictions and is intended to encourage openness without fear of legal consequences. It is based on the legislation that generally covers apologies in Scotland. To be clear, far from all safety incidents do arise as the result of negligence, this law is regulatory, it does nothing to affect civil liability and a patient's rights to make a claim against a care provider, and that is important. Excluding apologies from being taken as admission of liability is crucial, in my view, in fostering a culture of transparency and breaking down barriers between the parties when things go wrong. I thought that was important to explain that. I would just like very briefly to run over a few things about this proposal in the Second Reading. This legislation strengthens the governance, the accountability and regulatory framework for care services. The key changes include shifting legal responsibility for government-provided care services from individual chief officers to Ministers as corporate soles, aligning Jersey with practices in other jurisdictions. These administrative reforms will ease registration for our services like hospitals and children's social work services, allowing multiple managers and premises under one application. In this law the Care Commission gains power to suspend sole providers, clarify its roles as a regulator and not a complaints body, and offer services to other jurisdictions, provided Jersey's needs remain the priority. Funding reforms will establish a fully grant-funded model for public sector regulation, removing fees for government services and ensuring transparency through strategic planning and budget inclusion. New regulated activities will include hospital and ambulance services, laser clinic and eventually hyperbaric oxygen therapy, reflecting risk-based regulation. The definitions will ensure clarity and exclude services like outpatient only clinics and prison healthcare. Commission governance is modernised; Commissioners may serve up to 9 years, eligibility criteria are relaxed to allow a broader expertise, and staff employed via the States are formally recognised while retaining regulatory independence. Regulatory standards are updated to improve transparency and service user rights. A new duty of candour, as I said, requires providers to admit when things go wrong, apologise, and explain. Services must support visitor access, communicate effectively, and allow access to care records where appropriate. Further provisions ensure vehicles are fit for purpose, registration is publicly visible, and significant restrictions on liberty are reported. Inspection frequencies are clarified and a temporary defence is introduced for hospital premises not yet fit for purpose, providing mitigation steps are taken. These reforms aim to enhance safety, enhance accountability, and improve public confidence in Jersey's care system. I ask for the appel in the Second Reading.

The Bailiff:

Thank you, Minister. The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the Articles have been adopted unanimously in second reading:

POUR: 46		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				

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

Minister, do you propose the matter in Third Reading?

10.3 Deputy S.G. Luce:

I do, Sir, I have nothing to add other than my thanks to the Assembly for their wholehearted support. I would just like to give a very short vote of thanks to various people, if I may at this point in time. I would like to start by thanking yet again the Regulation of Care Sub-Panel for their work and the way that they worked with me to get this over the line. I would like to thank the Jersey Care Commission, the Health and Care Jersey officers, the Minister for Health and Social Services, the Minister for Social Security, the Minister for Education and Lifelong Learning for their work in co-operating and bringing this forward. Finally, I would just like to thank the Law Drafting Office and the Law Officers' Department. This has been a considerable piece of work over a very long period of time, lots of time and effort has gone in and I am very grateful for their effort.

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the Articles as adopted in Third Reading? Is the appel called for?

Deputy S.G. Luce:

I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats and the Greffier is asked to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the draft law has been adopted unanimously in Third Reading:

POUR: 46		CONTRE: 0		ABSTAINED: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				

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

Are Members content to adjourn now? The Assembly is adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:25]