

# STATES OF JERSEY

## OFFICIAL REPORT

**TUESDAY, 24th FEBRUARY 2026**

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

**The Deputy Bailiff:**

### **1.1 Welcome to His Excellency the Lieutenant Governor**

Firstly, on behalf of Members, I should like to welcome His Excellency the Lieutenant Governor to the Chamber this morning. **[Approbation]**

[9:45]

**The Deputy Bailiff:**

Deputy Miles, you have got your light on.

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

Just to raise the défaut on Deputy Morel.

**The Deputy Bailiff:**

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

**Deputy I. Gardiner of St. Helier North:**

Sir, I would like to raise the défaut on Deputy Doublet, please.

**The Deputy Bailiff:**

Are Members content?

**Female Speaker:**

Sir, may I raise the défaut on Connétable Johnson and Deputy Stephenson, please?

**The Deputy Bailiff:**

Again, are Members content to raise the défaut? Yes.

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

It is just to inform the Assembly I have a medical appointment at the end of lunch and may be a little bit late back. I have no idea how long it will take, thank you.

## **PETITIONS**

### **2. Deputy M. Tadier of St. Brelade will present a petition regarding the restriction on solar ground mounts on agricultural land.**

**The Deputy Bailiff:**

There is a petition to be presented by Deputy Tadier, which relates to the proposition that he has lodged for debate entitled "Restriction on solar ground mounts on agricultural land". Deputy Tadier, I believe the Usher will collect the petition from you. Deputy Tadier, would you like to say a few words about the petition?

#### **2.1 Deputy M. Tadier of St. Brelade:**

I would, Sir, thank you. I will not take long. Before I do that, it is not that it is my place to do so, but I cannot help thinking that today is perhaps a slightly more significant day than many days in this Assembly, Sir, it is your first day presiding over us. **[Approbation]** So, as the coincidental first speaker, I would just like to wish you all the best in your role for however many years it is that you will be sitting with us or with the Assembly. **[Laughter]** I can see, with the heavy Order Paper with the new lodged propositions, why the Bailiff might have chosen to make this your first sitting. I

move to the petition. Briefly, I will speak saying that this is the first petition that has been lodged during this term of office - a paper petition that is - and it means that there will be a debate on a subject that is close to many Islanders' hearts. So 801 people have decided to sign a particular petition. This relates to solar panels and their location in Jersey. There is a strong feeling from the petitioners and, of course, I think there are lots of other people. Some who signed, of course, were not necessarily valid, so 801 should be seen as the very minimum of people who feel strongly enough to sign this. There are others in Jersey who do not sign petitions for whatever reason or who are unable to. I would like to thank those petitioners for asking me to present this. I am very happy to do it on their behalf. Secondly, I think it shows that in a small community that there are issues which affect the whole Island. This is not something which is specific to my constituency, but there are people all over the Island who feel strongly about the place they live, about this sense of community, about place, about the environment. But also, this is not people who are saying necessarily we do not like renewable energy. It is just about placing it sensitively in the small Island community that we are. I will leave the comments at that. There will be a debate, of course, because I have lodged a corresponding proposition to go with it, but I do reinforce the point that this is a fundamental part of our democratic process, which is open to the public. It does not matter whether there is one signature or 19,000 signatures on a paper petition. If you can find a sponsor in this Assembly to present it, that is a longstanding part of our tradition and long may it continue, I hope.

**The Deputy Bailiff:**

Thank you, Deputy Tadier.

**QUESTIONS**

**3. Written Questions**

**3.1 Deputy M.B. Andrews of St. Helier North of the Minister for Sustainable Economic Development regarding a law to regulate estate agent practices. (WQ.17/2026):**

**Question**

Will the Minister advise whether any consideration has been given to introducing a law to regulate estate agent practices and, furthermore, to the inclusion of Jersey property law (including the aspects of any new law that is introduced) in any estate agent exams undertaken by agents practising in the Island?

**Answer**

The Deputy will be aware that law drafting instructions were submitted in 2024 to introduce a statutory requirement for estate agents to be required to be a member of an Approved Redress Scheme. This will be delivered via an amendment to the [Consumer Protection \(Unfair Practices\) \(Jersey\) Law 2018](#). Given the volume of work assigned to the Legislative Drafting Office (LDO) during this term of office it has been necessary to prioritise specific projects and, consequently, these amendments will not be ready for lodging before the 2026 election. Nevertheless, we have progressed the law drafting, and we will engage with the sector *before* the amendment is made to ensure they are fully aware of the proposed changes.

Industry qualifications are available for estate agents on a voluntary basis but there are no current plans to mandate such courses as a pre-requisite to trade in Jersey.

The Chief Minister and the Minister for Housing are undertaking a consultation on the effectiveness of the residential property transaction process in accordance with the Amendment to the Deputy's Proposition ([P.61/2025, as amended](#)) approved by the Assembly on 1<sup>st</sup> October 2025. The consultation is scheduled to report its findings by June 2027. The scope of the consultation will be determined by the next government, and there may be potential to consider estate agent practices, including requirements such as professional examinations, where these are considered relevant to the consultation.

### **3.2 Deputy J. Renouf of St. Brelade of the Chief Minister regarding the number of High Value Residents (HVRs). (WQ.18/2026):**

#### **Question**

Further to Written Question [4/2026](#), will the Chief Minister state, for each year as far back as records will allow –

- (a) the total number of High Value Residents (HVRs) at the end of the year; and
- (b) the number of HVRs who left the HVR scheme during the year but who remained resident in the Island?

#### **Answer**

The information requested in (a) and (b) is being validated by the relevant departments and will be provided to all States Members in advance of the debate on Deputy Renouf's proposition to cap 2(1)(e) applications.

### **3.3 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Infrastructure regarding waste management and recycling at public events. (WQ.19/2026)**

#### **Question**

Further to [Written Question 310/2025](#) regarding waste management and recycling at public events, will the Minister advise whether he has discussed this matter with the Bailiff's Public Entertainment Panel and, if so, whether the Panel is willing to take a direct approach to recycling requirements for future public events?

#### **Answer**

The Unlawful Public Entertainments (Jersey) Regulations 2024 allow the Bailiff to grant permission for the provision of a public entertainment subject to the conditions the Bailiff thinks fit. I have not discussed this matter further, but would be willing to initiate discussions with ministerial colleagues, and the Bailiff, to determine if further legislative powers are needed in respect of waste management and recycling.

As set out in the previous response to WQ 310/2025, the Minister for Infrastructure has limited powers, which apply specifically to events held on main roads. In these cases, the Minister may impose conditions related to public safety and event logistics, but not waste management plans.

Notwithstanding the above, there are ongoing campaigns through eco active to encourage and advise businesses on waste reduction, reuse, and recycling, and the associated benefits. These are aimed at, and would apply equally to, one off event organisers, mobile caterers etc as static businesses.

**3.4 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding the volume of deliveries handled by Jersey Post. (WQ.20/2026):**

**Question**

In relation to the volume of deliveries handled by Jersey Post, will the Minister, in her capacity as shareholder representative –

- (a) provide a comparison of November and December 2024 with November and December 2025 for –
  - (i) letters;
  - (ii) packages;
  - (iii) parcels; and
- (b) explain any factors, including logistical issues, that have affected incoming or outgoing services?

**Answer**

- (a) Volume data, of the kind requested in the question, especially at the format level, is commercially sensitive information. I am, therefore, only able to provide consolidated trends. Overall, total volumes were 3% lower year-on-year for November and December 2024/2025, with letters accounting for the majority of lost volume.
- (b) Jersey Post operated well over the peak period, thanks to the continued hard work and commitment of its staff. The network operated within its capacity for the vast majority of the time. The following factors caused some short-term impacts during this period:
  - a. unexpected peaks in volume from the UK over a couple of days; and
  - b. weather related disruption to ferries, with eight cancellations during this period, generally resulting in delayed delivery times of around one day.

During this period, Jersey Post delivered approximately 95.7%\* of items the day after they received them.

\*This figure represents Jersey Post's regulatory performance for inbound letters and large letters for Nov only; December is not reported due to the impact of Christmas. Jersey Post do not report parcel delivery performance due to commercial sensitivity.

**3.5 Deputy D.J. Warr of St. Helier South of the Minister for Justice and Home Affairs regarding the cost of acquiring or renewing work permits. (WQ.21/2026):**

**Question**

In relation to the cost of acquiring or renewing work permits, will the Minister explain –

- (a) the legal or policy basis on which any cost is charged to the employer or employee;
- (b) how the level of any cost charged to either the employer or employee is calculated; and
- (c) whether any assessment has been undertaken of the impact of such charges on the cost of doing business in Jersey?

*Deputy Warr has declared an interest under Standing Order 106 in relation to his Written Question as the owner of a company that employs workers who require work permits.*

## **Answer**

Section 1(4) of the Immigration Act 1971, as extended to Jersey by the [Immigration \(Jersey\) Order 2021](#), gives the Minister for Justice & Home Affairs the power to lay Rules for regulating the entry into, and stay in, Jersey of persons not having the right of abode, including persons coming to the Island for the purpose of employment.

The [Immigration \(Work Permits\) \(Jersey\) Rules 1995](#) gives the Minister the power to require an application, a fee and supporting information from an employer for a work permit to be issued to employ a named individual with relevant experience and qualifications, in a specific role, for a set period. Work permit fees are set by the Minister for Justice & Home Affairs via a Ministerial Decision. These were last increased on 1<sup>st</sup> October 2019 (MD-HA-2019-0085).

Work permit and immigration fees are used to fund the administrative costs of processing applications, and fund immigration and border systems, including enforcement activities.

A comparison of the costs of bringing an employee to Jersey, and the costs of bringing an employee to the UK – In Jersey the cost per day for a skilled worker (3-year) is £1.28 per day compared to £5.96 per day in the UK for a small employer, increasing to £9.18 per day for a medium to large employer.

### **3.6 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding his stated aim of reducing Government expenditure. (WQ.22/2026):**

#### **Question**

In relation to his stated aim of reducing Government expenditure, will the Chief Minister advise –

- (a) what instructions, if any, have been given to the Chief Executive Officer;
- (b) what actions, if any, the Chief Executive Officer has undertaken to date, or is intending to undertake; and
- (c) whether it is the intention of the Chief Executive Officer to deliver any savings through a reduction of funding to organisations which receive Government funding and, if so, how it is intended to implement such reductions?

#### **Answer**

##### **(a)**

The Chief Executive Officer has been given a clear mandate to curb the growth of the public service workforce and overall expenditure, while protecting frontline services, particularly in health and education.

The Chief Executive Officer has also been asked to develop and present a range of options for consideration by the Council of Ministers and the States Employment Board to ensure expenditure growth is curbed and remains sustainable and proportionate to the requirements of the island.

##### **(b)**

To date, the Chief Executive Officer has implemented or overseen the following actions:

- The delivery of savings within the Government Plan 2025 - 2028 totalling £47 million, including approximately £15 million attributable to role reductions and vacancy management.
- The introduction of an external recruitment freeze from August 2024. Based on the workforce growth trajectory observed up to that date, it is estimated that, without intervention, there would have been approximately 515 additional Full Time Equivalent (FTE) posts by 31 December 2025. This equates to approximately £31 million per annum in avoided staffing costs.
- The introduction of restrictions on the use of external consultancy and temporary staffing from June 2024. Expenditure in this area reduced by approximately £29 million during 2024. Final audited figures for 2025 will be published in due course.
- The removal of over 1,000 vacant or unfunded posts from the establishment.
- A reprioritisation of departmental activity to focus on core functions, including reviews of Digital Services programmes and the Legislative Programme to ensure resources are aligned with essential delivery.

While efficiencies have been identified centrally, there has continued to be targeted investment in frontline services. In 2025, workforce increases were primarily concentrated within Health and Community Services and Children, Young People, Education and Skills, including approximately 157 additional staff in health and care and 50 additional staff in education and children's services.

**(c)**

As part of the wider review of public expenditure, the Chief Executive Officer has been asked to provide advice on how the overall cost of administering Government may be reduced.

A series of workshops has been held with the Council of Ministers and States Members to examine the growth in public sector expenditure between 2018 and 2024, to understand its drivers, and to consider potential reform options.

The most recent workshop took place on 12th February. Officers are currently collating the material discussed and preparing a report to be published before the end of this term. Any agreed course of action would be subject to appropriate governance processes and consultation with relevant stakeholders.

**3.7 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding redundancies that have been made in each ministerial department since the States Employment Board was reconstituted in February 2024. (WQ.23/2026):**

**Question**

Will the Chair state the number of redundancies that have been made in each ministerial department since the States Employment Board was reconstituted in February 2024?

**Answer**

Further to WQ.398/2025, the table below shows the number of redundancies made for each ministerial department in 2024. There have been 37 redundancies, 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 £1.2 million.

Data for 2025 is still undergoing audit and is not yet available. The full list of redundancies for 2025 will be included in the 2025 Annual Report and Accounts, Remuneration and Staff Report, which is due to be published in April 2026. Where the total number of redundancies for each department is less than 5, it has been redacted for data protection purposes.

| Department                                 | Redundancies in 2024 |
|--|----------------------|
| Cabinet Office                             | 14                   |
| Children, Young People, Education & Skills | <5                   |
| Department for the Economy                 | <5                   |
| Digital Services                           | <5                   |
| Employment, Social Security and Housing    | 6                    |
| Infrastructure and Environment             | <5                   |
| Justice and Home Affairs                   | <5                   |
| Non-Ministerial Departments                | <5                   |
| People Services                            | <5                   |
| Treasury and Exchequer                     | <5                   |
| <b>Grand Total</b>                         | <b>37</b>            |

### **3.8 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding Government subsidies and grants for the purchase of electric vehicles. (WQ.24/2026):**

#### **Question**

Will the Minister advise the total amount given in Government subsidies and grants to households, and separately to businesses, for the purchase of electric vehicles (including e-bikes) in each of the last five years?

#### **Answer**

Under the States Assembly agreed Carbon Neutral Roadmap (P.74/2022), budget from the Climate Emergency Fund has been allocated to both an e-bike incentive and an electric vehicle purchase incentive. It should be noted that other funding sources available to businesses which may have been used to fund electric vehicles (such as the Better Business Support Programme) sit outside the remit of the Minister for the Environment and are not included here.

The e-bike incentive ran in 2023 and 2024. It was available for individuals to apply for only. Amounts below relate the year in which each tranche of e-bike vouchers was issued. Five releases of grant monies were made: four in 2023 and one in 2024. Vouchers issued in October 2023 have all been counted for in 2023, however some of these will have been redeemed in 2024 due to their 90-day validity period.

|                         |
|-------------------------|
| <b>E-bike Incentive</b> |
|-------------------------|

| <b>Year</b>  | <b>No. of Incentives Redeemed</b> | <b>Amount</b>   |
|--------------|-----------------------------------|-----------------|
| Feb-Dec 2021 | n/a                               | n/a             |
| 2022         | N/A                               | N/A             |
| 2023         | 387                               | £131,700        |
| 2024         | 279                               | £92,100         |
| 2025         | N/A                               | N/A             |
| Jan 2026     | N/A                               | N/A             |
| <b>TOTAL</b> | <b>666</b>                        | <b>£223,800</b> |

Policy TR1 of the Carbon Neutral Roadmap ‘Speeding up adoption of electric vehicles’ approved budget of £4,855,000 for electric vehicle and charger incentives schemes.

Under agreed policy TR1 the Electric Vehicle Purchase Incentive ran from late August 2023 through to mid-December 2024 and was available to individuals and businesses to apply for. A total of 1,204 EVPI were issued, after deducting voids and defaults. Amounts below relate to the year in which each EVPI grant was redeemed. Some of the vehicles purchased towards the end of the scheme in late 2024 were not delivered immediately and therefore not redeemed until 2025.

| <b>Electric Vehicle Purchase Incentive</b> |                          |                   |                          |                 |
|--|--------------------------|-------------------|--------------------------|-----------------|
| <b>Year</b>                                | <b>Individuals</b>       |                   | <b>Businesses</b>        |                 |
|  | <b>No. of Incentives</b> | <b>Amount</b>     | <b>No. of Incentives</b> | <b>Amount</b>   |
| Feb-dec 2021                               | N/A                      | N/A               | N/A                      | N/A             |
| 2022                                       | N/A                      | N/A               | N/A                      | N/A             |
| 2023                                       | 201                      | £688,304          | 16                       | £56,000         |
| 2024                                       | 799                      | £2,728,883        | 142                      | £502,865        |
| 2025                                       | 35                       | £122,500          | 11                       | £39,000         |
| JAN 2026                                   | N/A                      | N/A               | N/A                      | N/A             |
| <b>TOTAL</b>                               | <b>1,035</b>             | <b>£3,539,687</b> | <b>169</b>               | <b>£597,865</b> |

The total awarded in e-bike and electric vehicle grants from 2021 to 2026 is summarised in the table below.

| <b>YEAR</b>  | <b>E-bikes individuals</b> | <b>Electric Vehicles Individuals</b> | <b>Electric Vehicles Businesses</b> | <b>TOTAL</b>      |
|--------------|----------------------------|--------------------------------------|-------------------------------------|-------------------|
| Feb-dec 2021 | N/A                        | N/A                                  | N/A                                 | N/A               |
| 2022         | N/A                        | N/A                                  | N/A                                 | N/A               |
| 2023         | £131,700                   | £688,304                             | £56,000                             | £876,004          |
| 2024         | £92,100                    | £2,728,883                           | £502,865                            | £3,323,848        |
| 2025         | N/A                        | £122,500                             | £39,000                             | £161,500          |
| JAN 2026     | N/A                        | N/A                                  | N/A                                 | N/A               |
| <b>Total</b> | <b>£223,800</b>            | <b>£3,539,687</b>                    | <b>£597,865</b>                     | <b>£4,361,352</b> |

### **3.9 Deputy I. Gardiner of St. Helier North of the Minister for the Environment regarding the future of internal combustion engine vehicles. (WQ.25/2026):**

#### **Question**

Following the closure of the [public consultation](#) on proposals relating to the future of internal combustion engine vehicles, will the Minister advise –

- (a) what actions, if any, he intends to take before the next election;
- (b) in particular, whether he anticipates lodging a proposition for consideration by the States Assembly or making any related Ministerial Decision; and
- (c) what indicative timetable, if any, has been established for the next steps?

### **Answer**

Following the closure of the public consultation on the 2030 phase-out of the importation and registration of petrol and diesel vehicles at the end of January, officers are now reviewing all submissions and producing the analysis that will be needed to support a decision on how to proceed with implementing policy TR5 of the States Assembly agreed Carbon Neutral Roadmap ([P.74/2022](#)). Accordingly:

- (a) I have committed to make an announcement regarding the preferred approach to the phase-out of petrol and diesel vehicles before the coming election. This will happen after proper consideration of the consultation findings, the shifting positions of neighbouring jurisdictions and the economic impact assessment that has been undertaken.
- (b) I will not be lodging a proposition for consideration by this States Assembly before the end of its term. Depending on the final implementation option agreed for this policy, one or more Ministerial Decisions may be made prior to the election, for example, to commence legislative drafting. In this case, any draft primary legislation or Regulations would subsequently be lodged for debate by the new States Assembly.
- (c) The second principle identified for this phase-out is that: “Jersey should provide early clarity for motor traders and motorists, well in advance of 2030.” We are working to confirm the preferred approach as soon as possible, to ensure everyone can prepare. An indicative timeline will be included in the forthcoming announcement.

### **3.10 Deputy I. Gardiner of St. Helier North of the Minister for the Environment regarding PFAS (per- and polyfluoroalkyl substances) treatment options currently being considered by Jersey Water. (WQ.26/2026):**

#### **Question**

Will the Minister advise –

- (a) whether he is aware of any PFAS (per- and polyfluoroalkyl substances) treatment options currently being considered by Jersey Water in order to meet the 4 ng/l (4 nanograms per litre) maximum concentration proposed within the [Draft Water Law \(Jersey\) Amendment Regulations 202-](#);
- (b) if so, the indicative lead times associated with the design, procurement and installation of any such options; and
- (c) whether, based on current information, compliance with the proposed 4 ng/l regulatory limit could potentially be achieved earlier than 1st January 2031?”

#### **Answer**

I am aware that Jersey Water is actively considering a range of potential treatment options to address PFAS limits in water quality. At this stage, no single treatment solution has been finalised. The assessment of options involves detailed technical evaluation, including suitability for Jersey’s water sources, operational complexity, cost, waste handling implications and long-term effectiveness. As a result, indicative lead times for the design, procurement and installation of any specific treatment option are still being assessed. These timescales will depend on the option or combination of options ultimately selected, as well as the need for design development, procurement processes, construction, commissioning and regulatory assurance.

Progress will continue to be kept under review as further technical work is completed.

**3.11 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Children and Families regarding foster care in Jersey. (WQ.27/2026):**

**Question**

In relation to foster care in Jersey, will the Minister advise –

- (a) the total number of approved foster carers, new carers and carers who left the service in Jersey for each of the last five years;
- (b) any recruitment targets set as part of the Government’s foster carer recruitment campaign and timeframes for achieving any such targets;
- (c) how many of the foster carers approved during the campaign period can be directly attributed to the recruitment campaign and what methodology is used to determine this;
- (d) whether an exit or de-registration evaluation is conducted when foster carers leave the system and, if so –
  - (i) whether these reasons are formally recorded and analysed; and
  - (ii) what the main reasons for exit have been over the last five years;
- (e) what actions or mitigations, if any, the Minister has implemented in response to identified reasons for foster carers leaving and whether there is any evidence that these measures have improved retention; and
- (f) whether he considers the recruitment campaign to have represented value for money and how this assessment was made?

**Answer**

- a. the total number of approved foster carers, new carers and carers who left the service in Jersey for each of the last five years;

|      | Approved Carers (at the start of each year) | New Carers (approved within the year) | Carers who left (throughout the year) |
|------|---|---------------------------------------|---------------------------------------|
| 2022 | 40  | 8                                     | 13                                    |
| 2023 | 35  | 15                                    | 12                                    |
| 2024 | 38  | 10                                    | 11                                    |
| 2025 | 37  | 2                                     | 8                                     |
| 2026 | 31  | 0                                     | 1                                     |

- b. any recruitment targets set as part of the Government’s foster carer recruitment campaign and timeframes for achieving any such targets;

Three campaigns are planned for 2026:

**Campaign 1: February 2026. "Could You Change a Child's Life in 2026?"**

**Aim:** To capture early-year interest whilst people are still reflecting on their life goals for 2026. Key activities include targeted internal marketing strategy across lock screens, digital boards in Union Street and lunch & learn sessions, where colleagues can gather more information from the Fostering Service about fostering. The focus will remain on myth-busting and clarifying who can foster and the support available.

**Target Households:** 5

**Timescale:** Within 9 months

**Campaign 2: April – May 2026. "Loving Homes Combined Campaign with Residential"**

**Aim:** To promote fostering and the concept of 'Loving Homes' via a collaborative external campaign with our residential service. This marketing strategy will include two powerful videos of young people benefiting from loving care (residential/fostering) as they transition and thrive within their loving homes. The plan is for this campaign to take place during Foster Care Fortnight in May 2026. During this period activities will be intensified sharing positive carer stories, social media takeovers and community events.

**Target Households:** 10

**Timescales:** Within 9 months

**Campaign Three: July – September 2026. "The Hive"**

**Aim:** To launch our new fostering model "The Hive" across the community. The Hive introduces a new model inspired by the UK's Mockingbird Family Model, aiming to create a community-based support system for foster carers and children. The concept involves a central "hub" home supporting a group of "satellite" foster homes, replicating the structure of an extended family. The Hive campaign seeks to address key challenges in fostering, particularly the isolation, emotional strain, and lack of support that some carers may experience. By introducing The Hive, the campaign will shift perceptions of fostering from a solitary, high-pressure role to a shared, community-supported experience. The Hive's structure is designed to reduce fear of failure and increase confidence among new carers. At its core, the campaign will try to change how fostering is understood and experienced in Jersey. It will encourage people to see fostering not just as a personal commitment, but as a collective effort rooted in connection and care. By highlighting emotional rewards, practical support, and community values, The Hive aims to motivate action, build trust, and ultimately increase recruitment and retention of foster carers.

**Target Households:** 5 foster families to achieve one fully operational Hive.

**Timescales:** 12 months

A campaign for October 2026 remains in the planning stages and is yet to be approved.

- c. **how many of the foster carers approved during the campaign period can be directly attributed to the recruitment campaign and what methodology is used to determine this;**

A campaign would hope to trigger a number of enquiries to the fostering service. This is the first stage of the foster carers journey.

All enquiries received by the fostering service are subject to a survey which is conducted as part of the enquiry response. This accounts for how the enquirer heard about fostering, what adverts or marketing they observed, linking back to any campaigns or awareness raising events (children's day/pop up shops etc) that led them to make contact. The results are then scrutinised to inform further recruitment strategies.

Following an enquiry, a decision is made as to whether the fostering service carries out an 'initial visit' to the enquirer. This decision is made on the basis of information shared during the enquiry stage and if the enquirer appears suitable to continue with the process.

An initial visit is carried out to the enquirers home address to discuss fostering in more detail and assess home conditions, availability, experience and motivation. Following this, a decision is made as to whether the enquirer should progress to the training stage.

The training stage includes a 7-week Skills to Foster training course which equips the enquirer with all they need to know about fostering whilst providing them with the opportunity to explore case studies and work as part of a group with other people interested in fostering.

At the end of this training course, feedback is provided by the course facilitators as to how enquirers contributed and managed the course. Those who are deemed to be suitable to progress to the next stage are invited to formally apply to foster.

Following this, an application is submitted and a Fostering Assessment is commenced. This is then presented to the fostering panel with a recommendation for approval and the Agency Decision Maker is required to make a final decision about approval following this.

Following the last major external 'Myth Busting' recruitment campaign in March 2025, a total of 25 enquiries were received by the fostering service between March and December 2025. Of these enquiries, 6 were as a direct result of the 'Myth Busting' Campaign. The others were as a result of word of mouth, the GOJ website, leaflets and social media posts throughout the year.

Of the 25 enquiries received in 2025, 14 withdrew from the process due to a combination of personal reasons, 1 was closed by the service due to unsuitable accommodation, 1 went through to complete an assessment and 9 remain active.

**Whether an exit or de-registration evaluation is conducted when foster carers leave the system and, if so –**

**ii. whether these reasons are formally recorded and analysed; and**

If a foster carer decides to resign, they are required to complete a formal resignation form which sets out the reasons for their resignation. This is shared with fostering service management team who examine the reasons outlined to determine if there are any causes for concern, issues or themes which require closer analysis. If the view is held that issues identified within the resignation could be remedied or repaired, steps are taken to address this and meet with carers to discuss the matters identified, in the hope that a resolution can be found.

Resignations which progress are shared with the fostering panel who sit every month. The panel are made aware of the information and discuss the matter as part of their agenda. Carers are supported to attend panel and share their experiences if they wish to as part of their resignation. These meetings are formally minuted.

If the fostering service deems that a foster carer should be de-registered, an annual review report setting out the reasons for this recommendation is presented to the fostering panel, along with any supporting documentation (investigations). The panel will consider all information provided and make a recommendation as to whether the carer should be de-registered or not. All documentation and the panel recommendation are then sent to the Agency Decision Maker for their final decision about de-registration.

**ii. what the main reasons for exit have been over the last five years;**

Since Jan 2022 there have been 46 de-registrations or resignations from the service.

Reasons for these are broken down as follows:

- Personal reasons (family issues, health, retiring, personal circumstances): **17 carers**
- Permanence arrangements established instead of fostering (Child turned 18 and became subject to staying put arrangement as an adult; Residence Order made to foster carer; Child adopted, etc): **13 children**
- Care plan for fostering concluded (child returned to parental care, child moved on to independence at 18, etc): **6 children**
- Withdrew from fostering due to dissatisfaction with Service/Support/Financial arrangements, etc: **4 carers**
- De-registration due to not meeting fostering standards or expectations: **6 carers**

**e. what actions or mitigations, if any, the Minister has implemented in response to identified reasons for foster carers leaving and whether there is any evidence that these measures have improved retention; and**

There has been a strong focus on improving the service offered to foster carers in response to the issues raised by them. This has included regular engagement events with the Head of Service and leadership team, an improved retention strategy, and events organised throughout the year to recognise the work that foster carers do and encourage a connection.

We have improved our retention strategy and have a number of retention events organised for 2026, to include events for foster carers and their birth children.

The Service has worked hard to recruit a permanent work force which now has a workforce of 80% permanent staff within the fostering team, to improve consistency in the quality of relationships and support provided to carers.

The offer for foster carers in respect of financial rewards, grants and incentives was improved in 2025.

The training offer for foster carers has been improved to include increased opportunities for progression, learning and development.

The managing allegations process has been strengthened to ensure robust management oversight/completion of complex investigations.

Support for foster carers has also been strengthened in response to issues raised by foster carers. This has included recruitment of a permanent family support worker to focus on carer support groups, support in general and retention events.

**f. whether he considers the recruitment campaign to have represented value for money and how this assessment was made?**

The last major external recruitment campaign in March 2025 focused on busting the myths associated with fostering, with the aim of raising awareness across the community about who can foster. This campaign directly influenced 6 members of the public to make enquiries but only resulted in 1 fostering family proceeding to a formal assessment. This fostering family can provide full time care for 1 child or 2 siblings, aged 5-18 years of age, on a short term or permanent basis.

It is difficult to put a value for money target against a fostering campaign. Every foster carer who is recruited will add huge value in offering a child/children a safe, stable and loving home, where they will receive emotional support, support with their trauma recovery and consistency of care.

It is positive to note that there are currently 9 active enquiries being processed at the current time.

**3.12 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Sustainable Economic Development regarding the SEE (Social, Environmental and Economic) Enterprise Pathway pilot. (WQ.28/2026):**

**Question**

Further to [Written Question 336/2025](#) regarding the SEE (Social, Environmental and Economic) Enterprise Pathway pilot, and the report stated as being prepared for publication in early November 2025, will the Minister advise –

- (a) when this report will be published;
- (b) the learnings from the pilot pathway and what recommendations, if any, have been made;
- (c) whether any enterprises on the SEE Enterprise Pathway successfully accessed the Better Business Support Programme and, if so, how many; and
- (d) what determination, if any, he has made in relation to any future SEE Enterprise Pathway programme and how any such programme might operate?

**Answer**

The SEE Enterprise Pathway was delivered as a pilot project by Jersey Business during 2025 and was primarily focused on training and development. The SEE Pilot received a total of 127 registrations for its online training and Community of Practice events, with a further 24 registrations for Jersey Business courses. 58 individuals and 34 businesses were supported. Satisfaction was high with the School for Social Entrepreneurs online training and Community of Practice events with 98% of respondents saying they would recommend the courses and events. 100% of respondents spoke of increased knowledge and 84% of increased confidence as a result of attendance.

- a) The report will be published as part of the forthcoming Arts, Culture and Heritage Delivery Update 2025 which will be published in early April 2026.
- b) The recommendations are divided into two phases with phase 1 focused on refining the definition of social enterprises (as distinct from other third sector organisations) and promoting social enterprises in Government procurement. Phase 2 would then involve identifying a suitable intermediary body to support the accreditation, advocacy and training of social enterprises and build a funding ecosystem.

- c) One of the five organisations in the SEE cohort applied for Better Business Support Programme (BBSP) funding. The organisation applied for two grants: Productivity and Skills and was successful in both applications.
- d) 2026 will be a year of consolidation. Much can be gained by the pilot programme, and consideration will be given to potentially defining social enterprises in legislation to distinguish it as a ‘third way’ from both the private and charitable sectors. In determining this, further consideration will be given to partnerships between Government and social enterprises to deal with more strategic issues such as nursery provision and an ageing population and ongoing health care offered. As to who will operate this, that is still to be determined.

**3.13 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding the proposed Draft Sea Fisheries (Atlantic Bluefin Tuna) (Jersey) Regulations 202-. (WQ.29/2026):**

**Question**

In relation to the proposed [Draft Sea Fisheries \(Atlantic Bluefin Tuna\) \(Jersey\) Regulations 202-\(P.21/2026\)](#), will the Minister advise how many boats were authorised to target Atlantic bluefin tuna in 2025, how many fish were caught and what the value was to the fishing fleet of this activity; and, further to the stated intention to extend the fishery to commercial fishing in 2026, will the Minister state –

- (a) when implementation of this extension is planned to take place;
- (b) the number of tuna to be targeted;
- (c) the proposed route to market (quayside selling, fishmonger, supermarket); and
- (d) whether investment will be required (and, if so, how much) to catch and sell the fish in a manner which meets hygiene standards?

**Answer**

In 2025, one vessel was authorised for catch and release charter fishing for Atlantic Bluefin Tuna (ABT). In total, this one vessel completed five fishing trips and caught and released one ABT. The low catch rates and number of days was reported due to poor weather and receiving the authorisation late in the season. This, in turn, was due to the lengthy ICCAT ratification process which has now concluded. The value of this to the local economy has not been calculated as research is needed on whether the anglers onboard the charter vessel were visiting specifically for ABT fishing, hotel costs, travel, food etc.

Jersey fishing licences and authorisations are managed through the Sea Fisheries (Licencing of Fishing Boats) (Jersey) Regulations 2003. In this regulation, an amendment is needed to allow recreational fishing authorisations to target ABT on a catch and release basis. This protects the fishery by ensuring those vessels who do not qualify for an authorisation, cannot target ABT. Recreational authorisations are commonplace in fisheries management and Jersey already has the scheme in place for other species. These authorisations ensure the correct number of fishing vessels have access to a fishery with enforceable licence conditions attached to them. Without authorisations, fisheries can be exploited at unsustainable levels and Jersey will be breaching the ICCAT convention. This amendment is not related to commercial fishing.

The UK fishing plan is submitted annually to The International Commission for the Conservation of Atlantic Tuna (ICCAT) for approval on February 14<sup>th</sup>, 2026. Once this is approved at ICCAT level, it will be understood how many permits will be allocated to Jersey for recreational fishing.

Commercial fishing is being looked at for 2026 in Jersey territorial waters. The ABT quota is held at a UK level meaning Jersey vessels will need to apply to the marine management organisation in the UK for a commercial permit. If Jersey vessels are successful, the ABT season runs from July 1<sup>st</sup> to December 31<sup>st</sup>. Licence conditions have been drafted to ensure any ABT landed into Jersey are to remain on island to benefit the local economy and marine sector. All sellers will be registered through a mandatory electronic catch documentation scheme which ensures the highest levels of traceability for each individual fish.

Currently harbour facilities are available to deal with a small scale, trial commercial fishery for ABT in Jersey. If Jersey vessels are awarded ABT quota for 2026, a review process will take place in the winter of 2027 to understand the fisheries performance and whether further investment is needed.

**3.14 Deputy I. Gardiner of St. Helier North of the Minister for the Environment regarding the evidential basis for selecting the commencement date for the recommended limits of PFAS in water supplied to the public by Jersey Water. (WQ.30/2026):**

**Question**

Will the Minister explain the evidential basis for selecting 1st January 2031 as the commencement date for the recommended limit of 4 ng/l (4 nanograms per litre) of PFAS (per- and polyfluoroalkyl substances) in water supplied to the public by Jersey Water, as set out in the [Draft Water Law \(Jersey\) Amendment Regulations 202-](#); and will he also advise whether earlier commencement dates (including phased or interim standards) were considered and, if so, the reasons they were not chosen?

**Answer**

The proposed commencement date is informed by the advice of the Independent [PFAS Scientific Advisory Panel](#). The Panel recommended that a combined limit of 4 nanograms per litre for the sum of four PFAS should be achieved within five years, recognising that meeting this stricter standard will require operational changes to water treatment infrastructure.

The advice I received from the Panel was that introducing earlier commencement dates or interim statutory limits would not materially accelerate the achievement of the final health-based standard and could add complexity without improving outcomes. The approach taken instead provides clarity, certainty and a clear long-term target, while allowing the necessary technical work to be completed.

In the meantime, Jersey Water continues to meet existing UK and EU drinking water standards, and monitoring and reporting of PFAS in the public water supply will continue throughout the implementation period. I will keep progress under review as work to deliver the new standard advances.

**3.15 Deputy D.J. Warr of St. Helier South of the Minister for Health and Social Services regarding abuse of medicinal cannabis prescriptions. (WQ.31/2026):**

**Question**

Further to the increase in the number of medicinal cannabis prescriptions, as detailed in the response to [Written Question 11/2026](#), will the Minister advise what controls, if any, exist to ensure that the level of prescription being dispensed is not subject to abuse; and, if no such controls exist, will he explain how he intends to resolve this matter?

### **Answer**

The majority of Cannabis-based products for medicinal use (CBPMs) supplied in Jersey are currently prescribed privately as unlicensed medicines. Although these products do not hold a marketing authorisation, they are not unregulated. Prescribing is undertaken only by registered healthcare professionals who are professionally and legally accountable for their clinical decisions and must comply with recognised professional standards.

Unlike some other jurisdictions, Jersey does not currently have in place legal controls on CBPM prescribing practice or an independent inspection regime. Officers are, however, actively developing proposed legal controls on prescribing practice with a view to consulting prescribers and patients over the Spring period.

### **3.16 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the intention to create a new primary school on the former Jersey Gas site. (WQ. 32/2026):**

#### **Question**

Further to the intention to create a new primary school on the former Jersey Gas site, and in relation to the contrary consideration of an expanded Millennium Town Park, will the Minister advise whether any of the following assessments have been undertaken and, if so, will he publish the results –

- (a) the total number of households within 400 metres of the site, including a breakdown of household make-up;
- (b) the anticipated traffic impact of a new school on St. Helier's road network, including air quality levels in surrounding streets; and
- (c) an estimate of the number of potential users by age group of an expanded Town Park, including those living outside the radius of 400 metres, visitors, shoppers and office workers?

#### **Answer**

I refer Deputy Warr to the comments paper presented by the Council of Ministers in response to P.45/2025 and recommend that he reads it in full.

I nevertheless quote from the comments paper:

#### ***Households data***

*The Council of Ministers do not agree that it would be a good use of limited resources to commission data collection, collation and analysis of households living within 400 metres of the site. As described above, extensive demographic analysis has already been undertaken to assess and confirm the need for the school. The Millennium Town Park will remain for enjoyment by all nearby residents and those*

who live further afield. The new school will also deliver improved and safer access to Millenium Park through to St Saviour's Road.

I further quote:

### **Traffic Impacts**

*Sustainable transport will be a feature of the planning application process and alongside the Safer Routes to School Initiative and active travel plans, any traffic impacts can be minimised. Previous surveys do confirm that the majority of pupils already walk to their town primary schools.*

I can confirm that similar types of assessments to those identified in (b) would be scoped into a transport assessment, in accordance with the Bridging Island Plan's requirements, that would accompany a planning application for a new school and thus be put into the public domain for comment prior to determination. Until a planning application is made this work would remain policy under development.

It is the policy of this Government, as it was the policy of the last Government of which Deputy Warr was a member, to build a new primary school at Gas Place. Accordingly, I am not aware that policy work has been commissioned by this Government, or was commissioned by the last Government, in respect of (c).

### **3.17 Deputy T.A. Coles of St Helier South of the Minister for Treasury and Resources regarding taxpayers who declared “unearned income”. (WQ.33/2026):**

#### **Question**

Will the Minister provide –

- (a) the number of taxpayers who declared “unearned income” for the 2024 year of assessment;
- (b) a breakdown of such unearned income by category (including, but not limited to, rental income, dividends and interest); and
- (c) for each category listed in paragraph (b), the number of taxpayers in each category who declared such income and the total value declared?

#### **Answer**

There is no definition of ‘unearned income’ for tax purposes.

To try and provide the Deputy with information requested, in respect of all individuals who made tax returns in 2023, the income in the categories he mentions are detailed below.

Information is provided for the 2023 year of assessment (YOA) as the 2024 Tax Statistical Digest is currently being compiled.

(a) In YOA 2023, 25,970 taxpayers declared at least one source of the following types of income.

(b & c) This income can be broken down as follows:

| <b>Income</b>                 | <b>£'m</b> | <b>Taxpayer Count</b> |
|-------------------------------|------------|-----------------------|
| Shareholder and distributions | 263.5      | 2,530                 |
| Interest & Dividends          | 178.5      | 21,690                |

|                            |       |       |
|----------------------------|-------|-------|
| Property (rental & lodger) | 132.5 | 6,980 |
| Other                      | 30.5  | 2,410 |

Note - value has been rounded to nearest £0.5 million and count of taxpayers rounded to the nearest 10.

Excludes high value residents and default assessments.

Includes non-resident taxpayers and taxpayers with incomes below the personal tax allowance.

Property income may be split between multiple taxpayers and is declared net of expenses.

### 3.18 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding domestic abuse in Jersey. (WQ.34/2026):

#### Question

In relation to domestic abuse in Jersey, will the Minister provide the following for each of the last 5 years, including both the number and as a percentage of the population –

- estimated incidents of domestic abuse;
- reported incidents where, after initial investigation, the Police concluded that no notifiable crime was committed;
- recorded incidents of domestic abuse crimes;
- domestic abuse crimes that were subsequently prosecuted; and
- successful prosecutions?

#### Answer

##### Methodology

- Where possible, data for questions c), d) and e) was obtained from previous freedom of information requests<sup>1</sup>. The remaining data was extracted from States of Jersey Police systems
- To obtain and present these figures as a proportion of the population, a per 1000 population calculation is used.<sup>2</sup>
- Question a-b) is taken to mean recorded domestic abuse incidents
- Question c) is taken to mean recorded domestic abuse crimes
- Question d) is taken to mean those domestic abuse crimes which result in a charge or parish hall enquiry
- Question e) is taken to mean convictions

| Metric          | Year |      |      |      |      |      |
|-----------------|------|------|------|------|------|------|
|                 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 |
| a-b) Incidents  | 1228 | 1151 | 1084 | 1122 | 878  | 1081 |
| a-b) Population | 11.9 | 11.2 | 10.5 | 10.8 | 8.4  | 10.3 |
| c) Crimes       | 390  | 399  | 390  | 446  | 517  | 516  |
| c) Population   | 3.8  | 3.9  | 3.8  | 4.3  | 5    | 4.9  |

<sup>1</sup> [ID FOI 7724 Domestic Abuse Tables 20240823.pdf](#)

<sup>2</sup> [Population | Statistics Jersey](#) – 2020, 2021, 2022, 2023 and 2024 population figures used. 2024 figure is applied to 2025.

|                         |            |            |            |            |            |              |
|-------------------------|------------|------------|------------|------------|------------|--------------|
| <b>d) Charge/PHE*</b>   | <b>101</b> | <b>108</b> | <b>102</b> | <b>104</b> | <b>95</b>  | <b>78*</b>   |
| <b>d) Population</b>    | <b>1</b>   | <b>1.1</b> | <b>1</b>   | <b>1</b>   | <b>0.9</b> | <b>0.8*</b>  |
| <b>e) Convictions**</b> | <b>60</b>  | <b>51</b>  | <b>56</b>  | <b>65</b>  | <b>45</b>  | <b>23**</b>  |
| <b>e) Population</b>    | <b>0.6</b> | <b>0.5</b> | <b>0.5</b> | <b>0.6</b> | <b>0.4</b> | <b>0.2**</b> |

\*Please note that the lower numbers of charge/PHE and convictions for 2025 reflects the fact that a number of crimes from 2025 remain under investigation or are detected offences waiting on a Court appearance. These may result in convictions in due course.

**3.19 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the tender process for the design and build of the Coronation Park Pump Track. (WQ.35/2026):**

**Question**

In relation to the tender process for the design and build of the Coronation Park Pump Track, will the Minister confirm whether or not applicants were asked to provide three project examples and evidence of their experience and responsibilities in designing or building a pump track facility for use by all wheeled sports and, if such a requirement was included, advise –

- (a) what consideration, if any, was given to the ability of local businesses to provide such examples given there are currently no pump tracks in Jersey; and
- (b) whether this requirement can be waived or mitigated for any local businesses tendering?

**Answer**

For transparency, the Invitation to Tender was issued as an open competitive process, and any designer was able to submit a response. The focus of the tender was to identify the most competitive submission to support the delivery of a fit-for-purpose pump track.

The visualisation work previously produced by the Project Team was solely for the planning application and was indicative only; the pump track design itself had not yet been developed at that stage.

We received 14 expressions of interest, including three local providers. This resulted in two formal bids for the work, which is valued at £17,000. The tender has been awarded to a company with relevant experience in such projects.

As part of the tender requirements, there were a number of detailed technical aspects that experienced providers would have recognised covering areas including design, materials, drainage infrastructure, landscaping, and delivery methodology. All tenderers were also asked to provide three recent case studies demonstrating pump tracks they had delivered in a park or playing field environment. This was not, though, the sole or primary criteria by which tenders were measured.

Submissions were evaluated by a panel against the published criteria to ensure due diligence and to confirm the appointment of a specialist with the relevant expertise. In order to ensure a fair process, it is important that tender requirements are applied consistently and equally.

**3.20 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding the collection of Goods and Services Tax (GST). (WQ.36/20226):**

**Question**

Regarding the collection of Goods and Services Tax (GST), will the Minister provide –

- (a) the number of companies currently paying International Services Entity (ISE) charges;
- (b) the current level of the ISE charge and the date on which this charge was most recently increased; and
- (c) the total additional GST revenue collected since the removal of the de minimis threshold on goods purchased online?

### **Answer**

- (a) In 2025, 310 entities were registered as an International Services Entity (ISE).
- (b) ISEs fees are charged at different rates depending on the type and activity of the entity and vary from £300 to £78,300. The fees for each entity type are listed in Regulation 4 of the [Goods and Services Tax \(International Services Entities\) \(Jersey\) Regulations 2008](#). Fees were uprated in the Finance (2021 Budget) (Jersey) Law with effect from 1 January 2021 and the overall ISE fee regime will be reviewed as part of the Government's wider work on the competitiveness of the Financial and Related Professional Services sector.
- (c) The de-minimis for GST has not been removed; with effect from 1 July 2023, it was reduced to £60. At this same time, online retailers with taxable supplies to Jersey above £300,000 over 12 months were required to register for GST. Purchases made from registered online retailers will have GST charged at the point of sale.

It is not currently possible to separate accurately the revenue increase arising because of factors including inflation, the general increase in online retailing, the reduction in the de minimis amount and the increased yield arising from collection at the point of sale.

### **3.21 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the Health Department structural deficit. (WQ. 37/2026):**

#### **Question**

Further to his response to [Oral Question 4/2026](#), in relation to the health department structural deficit, and his comments regarding the setting up of a working party to look at the future of health funding, will the Minister advise –

- (a) who has been appointed to the working party;
- (b) what recruitment process has been undertaken, including any advice taken from civil servants about the recruitment process;
- (c) the terms of reference of the working party; and
- (d) the intended timescale for reporting to the Minister and to the Assembly?

#### **Answer**

As the Deputy and scrutiny panel have been advised on several occasions, officers are actively working on health funding reform which includes developing a model to understand future health and care costs, considering drivers such as population change, disease prevalence and health inflation. Alongside this, officers are also researching and considering options for funding health and care services as we move forwards.

As part of that I am speaking with several health and care providers including current and retired clinicians. As the panel has been advised, it is envisaged that, once completed, the future health and care cost model and future options will be presented to new Council of Ministers for consideration before wider public engagement.

At this stage, there have been no formal appointments, and no formal consultation process has been undertaken. There are no terms of reference and no stated timescale.

We are working as quickly as we can and will make the work public as soon as we possibly can. If not completed before the end of this political cycle, I am hoping to be able, at least, to provide the Assembly, and the public, with a basic summary of work to date.

### **3.22 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Justice and Home Affairs regarding the Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law 202-. (WQ.38/2026):**

#### **Question**

In relation to the [Draft Marriage and Civil Partnership \(Dissolution and Separation\) \(Jersey\) Law 202-](#), will the Minister advise –

- (a) what consideration and analysis there were of the potential for coercive and controlling behaviour to manifest during divorce and dissolution proceedings, particularly in relation to –
  - (i) financial negotiations; and
  - (ii) arrangements for children;
- (b) which stakeholders, professional bodies and victim-survivor groups were consulted on this issue, and what key concerns or recommendations, if any, were raised;
- (c) what provisions, safeguards, or duties within the draft Law are intended to address this issue;
- (d) if such behaviour is not directly addressed in the draft Law, whether she considers existing legislation, guidance, or court procedures to be sufficient and, if so, on what evidence this assessment is based; and
- (e) if there are currently no explicit protections, whether the Minister intends to introduce amendments, statutory guidance or secondary legislation to address the risk?

#### **Answer**

- a) The *Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law 202-* (the draft Law), if approved, will give effect to the States Assembly's 2015 in principle decision in [P.77/2015 Same-Sex Marriage, Divorce and Dissolution](#) to introduce “no fault” divorce (and dissolution of civil partnerships) into Jersey law. The draft Law is intended to assist all couples who apply for the dissolution of their marriage or civil partnership, including those in abusive relationships and who may be subject to coercive or controlling behaviour. This long-awaited reform removes the requirement for those couples who wish to legally end their relationship to assign blame, with the aim of reducing potential conflict, including coercive and controlling behaviour, and to simplify the process. One of the key ways in which a party may seek to exercise coercive control is by defending a divorce or dissolution of a civil partnership to put financial pressure on the financially weaker and more vulnerable party, preventing them from pursuing a financial claim to final order; the draft Law prevents this from occurring. Removing the ability to contest provides important protection for anyone experiencing abuse.

The draft Law builds on existing principles for negotiating and agreeing financial arrangements, acting as enabling legislation to provide the Family Court with the tools required to deal with such matters. These principles stem from England and Wales case law based on Section 25 of the Matrimonial Causes Act 1973 which the Jersey court applies when determining financial arrangements. They include using equal division of marital assets as a starting point, (but not as a presumption) assessing the needs of each party, considering their respective contribution to the marriage or civil partnership, sharing marital/civil partnership assets, recognising the loss of benefits and importantly taking account of serious conduct if it would be unfair to disregard it. To reinforce this established approach, the relevant provisions from Section 25 of the England and Wales Act have been incorporated into Article 31 of the draft Law. Whilst recognising the importance of legislation that allows the Court to manage the processes for dealing with financial and child-related matters, the draft Law also introduces several new provisions aimed at ensuring fairness and offering further support to the more vulnerable party where needed. These include:

- a. Article 34 Interim occupation orders:
- b. Article 36 Orders for payment in respect of legal services: and
- c. Article 40 Transactions intended to prevent or reduce payment under financial order or sale of property order.

The new provisions of the draft Law go further than ever before to ensure that where a financially controlling party has been able to manipulate during the marriage or civil partnership, the court can offer a remedy during proceedings, even for events which have happened before proceedings are issued.

Controlling behaviour in arrangements for children are not dealt with under this law but under existing practice under the Children (Jersey) Law 2002. Practical and financial arrangements for children are principally dealt with under that law because the court's powers to provide for the welfare of the child are greater than under the current law being considered; it is also imperative that the welfare of the child is the paramount concern under the Children Law.

- b) In early 2019 a public consultation was undertaken to establish views on divorce with the outcomes produced and summarised in the [Divorce Reform, Future of Civil Partnerships & Age of Marriage Consultation Report](#) of April 2019. This consultation concentrated on proposed amendments for the introduction of no-fault divorce.

Reform of Jersey's divorce process has the support of the Jersey Law Commission, which published a report on Divorce reform in 2014.

This draft Law addresses the issue of no-fault dissolution of any marriage or civil partnership and not just those that are affected by domestic abuse. The draft Law provides a framework for the Court to deal with financial matters and childcare arrangements on a case-by-case basis.

- c) As noted in the response to a) above, the introduction of no-fault dissolution intends to reduce conflict arising from the dissolution process. Apart from removing the need to prove fault, the draft Law includes a number of new provisions to help the Court deal with the needs of all couples who go through the dissolution process, these include the following Articles:

- a. Article 16 Power of court to order alternative dispute resolution;
- b. Article 31 Ascertainment of assets and liabilities of parties;
- c. Article 34 Interim occupation orders,
- d. Article 36 Orders for payment in respect of legal services and
- e. Article 40 Transactions intended to prevent or reduce payment under financial order or sale of property order.

- d) Further work is needed to determine whether existing legislation is sufficient. As part of the Government's commitment to implement the recommendations of the Violence Against Women and Girls (VAWG) Taskforce, an independent review of the Family Court's system in relation to the treatment of cases that involve domestic abuse has been commissioned. An independent reviewer has been appointed, and the terms of reference for this review are currently being finalised with the relevant stakeholders. It is intended that this important piece of work will include, where appropriate, consideration of the suitability of current legislation, guidance and court procedures.
- e) The independent review of the Family Court system will consider whether the introduction of new amendments, statutory guidance and secondary legislation is necessary. A report detailing the key findings and recommendations of the independent review will be published once the work is concluded. It is intended that the published review will be available for the next Government and it will be a matter for that Government to respond to the recommendations.

The draft Law provides the court with the necessary powers to address financial arrangements and matters relating to children arising from the dissolution of a marriage or civil partnership. It also affords the court the flexibility to respond to the specific circumstances of each case, supported by updated court procedures set out in new Rules, which will be determined by the Court. During the drafting process, consideration, where appropriate will be given to the results of the independent review.

### **3.23 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the use of AI across the public sector. (WQ.39/2026):**

#### **Question**

Will the Chief Minister advise to what extent the Government-established Artificial Intelligence (AI) Steering Group (AISG) has developed the use of AI across the public sector, and –

- (a) explain how significantly, and in what areas, AI technologies have been, or are expected to be, deployed; and
- (b) detail what assessment, if any, has been made of the potential impact of AI on roles within the public sector?

#### **Answer**

The Artificial Intelligence Steering Group is playing a central role in accelerating the safe and purposeful adoption of AI across the public service. Its focus is on setting high standards, establishing clear policies, and ensuring that emerging technologies are deployed in ways that directly support our strategic priorities and improve services for Islanders.

- a) AI technologies are already delivering tangible benefits across the Government. All staff using Office 365 on a PC or laptop now have access to our secure implementation of Microsoft Copilot, and uptake is growing rapidly. Teams are using AI every day to analyse information, summarise complex reports, improve accuracy, and speed up routine drafting work. Clear guidance and regular communications are helping staff use these tools responsibly and confidently, and a structured training programme is being developed to unlock even greater value as capabilities expand.

Beyond these corporate tools, AI is being actively explored and in some cases deployed in frontline services. Departments such as Children Young People Education and Skills, Health and Care Jersey, and the States of Jersey Police are identifying opportunities where AI can enhance decision making, streamline administration, and provide richer operational insight. This work is creating new possibilities for faster and more efficient services and better outcomes for the public.

b) Digital Services is working closely with every department to map where AI can generate the greatest impact. This ongoing assessment is identifying opportunities to automate manual processes, make smarter use of data, and support staff in delivering high quality services. The intention is not simply efficiency, but a step change in how Government works, freeing colleagues from repetitive tasks so they can focus on work that adds greater value. The Artificial Intelligence Steering Group continues to monitor these developments to ensure that any changes in roles or responsibilities are carefully understood and well managed as part of our broader workforce planning.

**3.24 Deputy M.B. Andrews of St. Helier North of The Minister for Education and Lifelong Learning regarding the total annual expenditure on children with Special Education Needs (SEN). (WQ.40/2026):**

**Question**

Will the Minister state the total annual expenditure on children with Special Educational Needs (SEN) for each of the last five years?

**Answer**

**Total annual expenditure on children with Special Educational Needs (SEN)**

| Years | Spend (£)  |
|-------|------------|
| 2021  | 17,216,000 |
| 2022  | 19,722,000 |
| 2023  | 23,851,000 |
| 2024  | 32,926,000 |
| 2025  | 37,864,000 |

Annual spend increased from **£17.2 million in 2021** to **£19.7 million in 2022**, **£23.8 million in 2023**, **£32.9 million in 2024**, and **£37.8 million in 2025**.

This represents an overall **120% increase in expenditure over five years**. This equates to 113% In real terms after removing the impact of inflation and pay awards.

The scale of this growth reflects both the demographic changes across the Island—with more children being identified as having special educational needs—and the Government’s continued commitment to supporting children and young people with additional needs. The increased investment demonstrates a clear focus on ensuring that schools and services are better equipped to meet rising levels of need and to deliver inclusive support for every child.

The table below also shows the change over the five-year period in the numbers of children presenting with SEN needs, with children with a Record of Need (RON) increasing by 88% and children needing SEN support rising by 19%. This signifies the rising severity of need over the period.

| <b>Academic Year</b> | <b>Record of Need</b> | <b>SEN Support</b> |
|----------------------|-----------------------|--------------------|
| 2020/2021            | 297                   | 1,296              |
| 2021/2022            | 358                   | 1,296              |
| 2022/2023            | 382                   | 1,396              |
| 2023/2024            | 493                   | 1,449              |
| 2024/2025            | 559                   | 1,541              |

### **3.25 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding public sector employees recruited from overseas. (WQ. 41/2026):**

#### **Question**

Will the Chair provide the number of public sector employees recruited from overseas in each of the last five years –

- (a) on a permanent basis; and
- (b) on an interim or fixed-term basis?

#### **Answer**

The Government seeks to recruit qualified individuals locally in the first instance, and if the requisite skills and expertise are not available on Island, the recruitment may then be extended outside Jersey, including to the UK.

This policy supports our essential frontline services, and the majority are nurses, doctors, allied health professionals, teachers, and social workers. The 2025 figure begins to reflect the impact of the current recruitment restrictions.

| <b>Year</b>  | <b>Permanent Contract</b> | <b>Fixed Term Contract</b> | <b>Total</b> |
|--------------|---------------------------|----------------------------|--------------|
| 2021         | 70                        | 7                          | 77           |
| 2022         | 133                       | 14                         | 147          |
| 2023         | 242                       | 23                         | 265          |
| 2024         | 254                       | 37                         | 291          |
| 2025         | 218                       | 22                         | 240          |
| <b>Total</b> | <b>917</b>                | <b>103</b>                 | <b>1020</b>  |

### **3.26 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity regarding young people aged 18 to 24 on the Affordable Housing Gateway. (WQ. 42/2026):**

#### **Question**

In light of [the recent changes to the age criteria for the Affordable Housing Gateway](#), will the Minister clarify –

- (a) how the Government intends to ensure that young adults aged 18 to 24 who are now eligible to apply for social housing through the Gateway, but who may be unable to afford rent, will have access to adequate housing support;
- (b) what assessment, if any, has been undertaken to understand any gap affecting this age group between access to the Affordable Housing Gateway and practical rental affordability; and
- (c) what policy options are being developed or under consideration to prevent the risk of housing insecurity for young people aged 18 to 24 who are on the social housing waiting list, but who cannot sustain private rental costs or access the housing component of Income Support due to the age requirement?

### **Answer**

- (a) Extending eligibility for social housing is an important step in giving young adults aged 18 to 24 stability and confidence about their future. The recent changes are focused on young adults who are able to afford the social housing rent levels and will benefit from a secure tenancy in a well-maintained home.

Existing support continues to be available for those aged under 25 who may need more help in identifying housing options and moving toward independent living. The Gateway will work closely with each applicant to understand their circumstances, discuss affordability and identify the support they may need to successfully manage a tenancy. This includes exploring financial options and signposting to services, if required, that can help them prepare for independent living. The aim is not simply to assess eligibility, but to ensure that young adults are ready for, and supported into, a home that is suitable and sustainable for them.

Where a young adult is not yet ready to take on the costs or responsibilities of an independent tenancy, the Gateway will help them access more suitable options. This may include referral to established young people's accommodation such as JAYF or the Shelter Trust's Strathmore 16-25 Project, which provide accommodation alongside practical support.

For young adults who need a stepped approach toward independence living, the Partnership Pathway, managed by Andium Homes, provides accommodation with coordinated agency support, enabling them to move into long-term, secure social housing when they are ready.

Through these pathways, Gateway will ensure that young adults who do not have the financial independence to maintain their own tenancy are supported into accommodation that is appropriate and sustainable, with a clear route toward independent living.

- (b) The decision to lower the age criteria to 18 is based on the assessment that young adults who have left full-time education and moved into employment will often have financial independence and be able to sustain a social housing tenancy.

It is also recognised that some young adults aged under 25 may not yet have the income to meet rent and the wider costs of managing a tenancy. In such circumstances, Gateway plays a critical role in discussing whether their housing plans are sustainable. For some, that may mean

exploring alternative pathways or, where relationships are safe and supportive, considering staying in, or returning to, the family home.

In all cases, Gateway's role is to support young adults to make informed choices that promote their long-term housing stability.

- (c) Since the revised age criteria came into force at the beginning of February, Gateway has begun monitoring applications from young people aged 18 to 24 to understand any emerging themes or requirements, including any challenges around affordability. I am receiving regular updates and will review progress in due course.

These insights will help shape improvements to policy guidance and strengthen the support and advice available through the Gateway. They will also highlight where different accommodation options or additional support could better reflect the needs of young people.

It is important to emphasise that young people experiencing housing insecurity are already supported through established pathways and policies, which are designed to intervene early and prevent homelessness.

### **3.27 Deputy D. J. Warr of St. Helier South regarding under-occupying social housing properties. (WQ. 43/2026):**

#### **Question**

Further to the Minister's answer to [Oral Question 23/2026](#), in relation to 81 households who were under-occupying social housing properties and have since downsized, will he advise how many of these were households for which the housing costs were either fully or partially paid by Income Support?

#### **Answer**

It is not possible to provide accurate figures because the Affordable Housing Gateway does not routinely capture whether a household is in receipt of the housing component of Income Support, either in full or in part, to pay its rent. It is at the point of *application* when Gateway assess a person's financial circumstances, which may have changed at the point at which the 81 households downsized.

The Gateway's primary focus is on the housing need of the applicant with an overall consideration of their ability to pay their rent, rather than their Income Support eligibility.

### **3.28 Deputy D. J. Warr of St. Helier South regarding consideration of A "polluter pays" policy for Jersey Water. (WQ. 44/2026):**

#### **Question**

Given the anticipated costs that will be incurred by Jersey Water to reduce PFAS levels in Jersey's drinking water, will the Minister advise whether consideration has been given to a "polluter pays" policy, and if this has not been considered, explain why not?

## **Answer**

The “polluter pays” principle is well established in environmental law and specifically included as an objective of the Water Pollution (Jersey) Law 2000.

In the case of PFAS in Jersey’s water environment, the position is not straightforward. The independent PFAS Scientific Advisory Panel has been clear that PFAS contamination is a global and historically widespread issue, arising from multiple uses over many decades. A multitude of sources of PFAS compounds are present and it is ubiquitous in the environment.

Whilst specific point sources have been identified and isolated from supply by Jersey Water, the ubiquitous levels that exist across the island would still require treatment to reach the proposed PFAS drinking water limits. The mechanisms to enforce the Polluter Pays principle are therefore problematic when there is wider diffuse pattern of pollution.

### **3.29 Deputy J. Renouf of St. Brelade of the Minister for Children and Families regarding the agreement with Medway Council for the provision of children’s services. (WQ. 45/2026):**

## **Question**

Will the Minister provide Members with details of the agreement with Medway Council regarding the provision of children’s services and will he further advise –

- (a) how many placements for children have been provided by Medway, either via the Local Council or privately;
- (b) the nature of any such placements;
- (c) how many children have been impacted; and
- (d) the total annual expenditure that has been spent on services provided by Medway?

## **Answer**

The agreement with Medway Council provides placement search and quality assurance capability for the procurement and oversight of all off island placements. The agreement enables Jersey to benefit from Medway’s commissioning frameworks, providing access to thousands of placements across the UK, strengthening choice and matching for children and improving Jersey’s market negotiation capacity. The agreement also includes provision of quality assurance oversight of procured arrangements by the Medway Commissioning team, which ensures all placements are good quality, good value, stable and effective in meeting the needs of the child. Medway’s placement quality assurance framework is recognised as good practice by the UK.

- (a) how many placements for children have been provided by Medway, either via the Local Council or privately;

Medway have not provided any placements for Jersey’s children. Medway’s role is to provide a placement search function to enable access to placement frameworks across the UK and to negotiate and oversee such contracts to ensure quality and value for money.

From June 2025 to February 2026 Medway have conducted 27,963 searches across UK commissioning frameworks. This has led to arrangements being set up in respect of 18 contracts, some involving more than one placement or contract for a child or young person due to moves or other needs.

- (b) the nature of any such placements;

Medway's agreement includes placement search capacity across a number of commissioning frameworks to identify placement matching options for children. This has included independent foster homes, residential homes, specialist residential providers and supported accommodators for young people leaving care. It also includes parent and child residential assessment units, commissioned for the purposes of public law proceedings, education provision and CQC registered arrangements for young adults who need to live independently.

- (c) how many children have been impacted;

13 children have benefited from the procurement, commissioning and quality assurance work undertaken by Medway.

- (d) The total annual expenditure that has been spent on services provided by Medway?

The contractual cost of the agreement in place with Medway is £70,242. This has already been substantially offset by cost reductions created through Medway's renegotiation of contracts and strengthened commissioning capacity leading to better value for money, or improved offers.

### **3.30 Deputy J. Renouf of St. Brelade of the Minister for Infrastructure regarding the planned redevelopment of sports facilities at Les Quennevais. (WQ. 46/2026):**

#### **Question**

In relation to the planned redevelopment of sports facilities at Les Quennevais, will the Minister –

- (a) provide an update on the redevelopment, including the timetable and estimated total budget for the project;
- (b) advise whether there any significant changes to the provision of sports facilities are anticipated as a result of the redevelopment and, if so, what these are; and
- (c) explain what plans, if any, there are to locate a competitive cricket facility at Les Quennevais and if no such plans exist, explain why not?

#### **Answer**

At this stage, no funds have been allocated within the 2026–2029 Capital Programme to support the redevelopment of sports facilities at Les Quennevais. Initial scoping work has, however, been completed. This work is intended to inform both the Investing in Jersey workstream and the Long-Term Capital Plan currently being coordinated by the Treasury.

The Island's commitment to hosting the Island Games in 2035 is a significant driver for renewed investment in sport, alongside the need to deliver modern facilities for the public. It is essential that adequate time and budget are built into the programme to ensure that any replacement or refurbished facilities can be delivered in a timely and cost-effective manner.

I have recently requested that funding be made available to progress feasibility studies. These studies will enable us to refine the initial high level cost estimates and project timelines, and will support informed decision-making regarding design choices, including the appropriate mix and provision of sporting activities.

Competitive cricket has been played, and will continue to be played, at Les Quennevais for the foreseeable future.

### **3.31 Deputy M. Tadier of St. Brelade of H.M. Attorney General regarding the construction of solar farms on agricultural land. (WQ. 47/2026):**

#### **Question**

In light of the obligations placed upon the Minister for the Environment by Article 2 of the [Agricultural Land \(Control of Sales and Leases\) \(Jersey\) Law 1974](#), namely that the Minister shall have “particular regard to the desirability of reserving agricultural land for the use of bona fide inhabitants of Jersey engaged wholly or mainly in work of an agricultural or horticultural nature in Jersey” and that he shall ensure “that any lease of agricultural land is on terms that encourage the continued cultivation of the land in accordance with the principles of good husbandry”, will HM Attorney General state whether the construction of solar farms on agricultural land is compatible with the fulfilment of those obligations?

#### **Answer**

The Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974 (“the 1974 Law”) defines “agricultural land” to mean “*land, including land under glass, used or capable of being used for any purpose of agriculture or horticulture, but does not include any dwelling house or outbuilding;*”. Under Article 2 of the 1974 Law, no sale, transfer, or lease of agricultural land is allowed without the Minister’s consent. Article 2(2) of the 1974 Law provides:

*“The Minister may refuse consent to any transaction to which this Article refers or may grant consent either unconditionally or subject to such conditions as the Minister thinks fit and, in deciding whether or not to grant consent or otherwise, the Minister **shall have particular regard** to the desirability of reserving agricultural land for the use of bona fide inhabitants of Jersey engaged wholly or mainly in work of an agricultural or horticultural nature in Jersey, and ensuring that any lease of agricultural land is on terms that encourage the continued cultivation of the land in accordance with the principles of good husbandry.”*[Emphasis applied]

Where a statute uses language like “*shall have particular regard*”, it means that the factor is to be given importance and weight and is not just a ‘run of the mill’ consideration, thus underlining the inherent purpose of the 1974 Law, which is to preserve a land bank available for Jersey farmers and its cultivation.

Whether any transaction involving agricultural land which includes a solar farm proposal is compatible with encouraging “*the continued cultivation of the land in accordance with the principles of good husbandry*” would depend on the design of the solar panels and whether, once in situ, their

arrays and any other equipment would be a material impediment to the land being used for any purpose of agriculture or horticulture.

The dual use of agricultural land following the installation of solar panels is therefore not necessarily inconsistent or incompatible with the 1974 Law but will depend on the circumstances.

**3.32 Deputy B.B. de S.V.M. Porée of St. Helier South of the Minister for Justice and Home Affairs regarding modern day slavery legislation. (WQ. 48/2026):**

**Question**

Further to the Government's statement on 9th February 2026 confirming its intention to introduce dedicated modern day slavery legislation in Jersey, will the Minister advise –

- (a) what immediate policy or operational improvements have been, or will be, implemented to strengthen existing protections for migrant workers and whether those improvements include a whistle-blowing service for migrant workers;
- (b) what has been included within the additional support measures to which her statement referred;
- (c) what steps, if any, her department has taken to begin the development of the proposed legislation, including any consultation with frontline services, employers, charities, or migrant workers; and
- (d) when she expects the draft legislation to be brought to the Assembly?

**Answer**

- (a) The Government of Jersey is committed to ensuring that existing protections for migrant workers are upheld whilst work to bring forward dedicated modern day slavery legislation is progressed. Law enforcement agencies, including the States of Jersey Police and the Customs and Immigration Service, continue to respond, investigate and take any action necessary, where concerns are raised or potential breaches of existing legislation are identified.

A whistle-blowing service is not currently under consideration; however, the International Cultural Centre ('ICC') offers a confidential and personalised service offering supporting and guidance for people arriving and living in Jersey. The Customs and Immigration Service and States of Jersey Police also have existing confidential methods for people to report concerns. A review of the existing work permit policy will be undertaken to ensure it remains fit for purpose and with the necessary protections for workers who may be vulnerable to exploitation.

- (b) The ICC supports the public, particularly those from different cultural or international backgrounds, with confidential assistance on a range of matters including employment, housing, health and immigration.
- (c) Officers from Jersey Customs & Immigration, Building a Safer Community, and Cabinet Office are developing options, including conducting an analysis of current legislation, relevant UK legislation, and perceived gaps in the Jersey legal framework. Officers are also

considering how we can best conduct engagement with frontline services, employers, charities and migrant workers, to ensure that it is meaningful and sensitive. I have had some initial conversations with charity representatives and look forward to furthering those discussions.

- (d) Since 2024, the legislative change needed to define and prosecute Modern Slavery was prioritised into the Government's legislative 'development pool'. This meant that it could receive policy and drafting time in any quieter periods during the work on the Violence Against Women and Girls legislation. With the lodging of that legislation now complete, this will allow concerted efforts to finalise the policy and commence law drafting from now and throughout the Summer. I have been informed by my officials that it is not possible to provide a detailed timescale at this stage, until further work has been completed to agree its scope. Nevertheless, I recommend that it is a priority for the new Council of Ministers once they are formed in July.

### **3.33 Deputy D. J. Warr of St. Helier South of the Minister for Health and Social Services regarding the increased use of medicinal cannabis in Jersey (WQ. 49/2026):**

#### **Question**

Further to the response to [Written Question 11/2026](#), and the increased use of medicinal cannabis, will the Minister provide details of –

- (a) the change, if any, in the demographic of users of medicinal cannabis over the last 5 years;
- (b) the impact, if any, of the use of prescribed cannabis on the use of other medication (for example opioids or benzodiazepines) over the past 5 years; and
- (c) the number of individuals referred to adult mental health services where the use of cannabis was a contributory factor and where cannabis had been locally prescribed?

#### **Answer**

- a. We do not collect demographic information in respect of private prescriptions dispensed for medicinal cannabis, and therefore we are unable to report on any changes in the demographic profile of patients over the past five years.
- b. Similarly, as private prescriptions are issued and managed outside the public health system, we do not have access to individual patient records. Consequently, we are unable to assess any relationship between the use of prescribed medicinal cannabis and the use of other prescribed medicines, whether issued privately or through the Health Insurance Fund.
- c. We are not able to provide information in relation to all referrals to adult mental health services and cannabis use, as this information is not currently collated (but is of course recorded in the individual patient record). We also do not have access to prescribing data for medicinal cannabis, and patients do not always disclose when they are in receipt of this. However, the adult mental health leadership team have recently been discussing this, and plan to implement a system to record all concerns regarding cannabis use across our community services, as we have been doing in the inpatient setting for the last year.

#### **4. Oral Questions**

##### **4.1 Deputy S.Y. Mézec of St. Helier South of the Chair of the Privileges and Procedures Committee regarding fraudulent election expenses. (OQ. 28/2026):**

Will the Chair advise what consideration, if any, has been given to the appropriateness of Article 68 of the Elections (Jersey) Law 2002, which limits the time in which action can be brought in relation to potentially fraudulent election expenses returns to 12 months after the election?

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

P.P.C. (Privileges and Procedures Committee) has not given any specific consideration to this Article thus far, which was last amended in 2011, but having been made aware of interest in this matter I have added it to the next P.P.C.'s agenda, which will take place on 9th March.

##### **4.1.1 Deputy S.Y. Mézec:**

Does the Chair agree with me that because of the revelations which have come to light because of recent court proceedings, and the obviousness that there has been a breach of this particular law from at least one candidate at the most recent election, that it is vital that this matter is treated as seriously as possible to make sure that the public can have confidence in our election procedures and maintain a principle that elections must never be able to be bought?

##### **Deputy S.M. Ahier:**

In 2022 all submissions were reviewed in accordance with the provisions of the Public Elections (Expenditures and Donations) Law. This work was undertaken by members of the Electoral Authority along with the then Judicial Greffier. The reviewers checked the forms submitted by all candidates, including those who had been unsuccessful, to ensure that expenditure did not exceed the limits set out for Connétables and Deputies at that time. The declaration submitted was signed by candidates and included a statement to the best of their knowledge and belief the information was true and correct. But I can confidently assure the Deputy that this matter is being taken seriously and will be reviewed by P.P.C., and I am sure by the Jersey Electoral Authority as well.

##### **The Deputy Bailiff:**

We come to the next Oral Question which Deputy Renouf will ask of the Minister for Infrastructure.

##### **Deputy J. Renouf of St. Brelade:**

Before I ask the question, I would like to raise a point of order. I am sorry to do this in your first sitting. I would like to raise a point of order, under Standing Order 12, part (2A), in relation to Written Question 4/2026. I should say I do not necessarily expect this to be answered on the spot.

##### **The Deputy Bailiff:**

Sorry, which Written Question was it?

##### **Deputy J. Renouf:**

It refers to Written Question 4. The Written Question asked the Chief Minister to provide information as far back as records allow relating to the number of high-value residents in the Island. The answer said: "The information requested in (a) and (b) is being validated by the relevant departments and will be provided to all States Members in advance of the debate on Deputy Renouf's proposition to cap 2(1)(e) applications. I am just looking at my notes here, and I may have made a mistake on the numbering on that. It may be Written Question 18.

##### **The Deputy Bailiff:**

Yes, Written Question 4 is in fact ...

**Deputy J. Renouf:**

Written Question 18, I do beg your pardon. So Written Question 18. Some figures were provided in the Ministerial comments paper relating to P.19, but these only went back to 2016 so I would argue that it is not possible to say you can partially answer a question which asks people to go back as far as records go; it is either answered or not answered.

**The Deputy Bailiff:**

Sorry, Deputy Renouf, Written Question 18, again it is a different question. It is for the Minister for Justice and Home Affairs concerning domestic abuse. Are you referring to Written Question 2 on the list?

**Deputy J. Renouf:**

I beg your pardon, Sir, I cannot understand how I have managed to get my questions so wrong, but it is. **[Interruption]** It is 18? Written question 18.

**The Greffier of the States:**

But number 2 on the Order Paper.

**The Deputy Bailiff:**

On the Consolidated Order Paper, I think it is question 2.

**Deputy J. Renouf:**

I do beg your pardon. In that case, it is numbered differently compared to how it was when it was submitted.

**The Deputy Bailiff:**

Shall we start again?

**Deputy J. Renouf:**

Shall we start again? I think we know the question that it is referring to. I am asking for a ruling because I do not believe that it has been answered. It asks for information to go back as far as records are held. I believe records are held well before 2016 for this information. As I say, I do not think it is possible to partially answer a question that asks for as far as records belong. It is either answered or not answered.

**The Deputy Bailiff:**

Thank you, Deputy. I have noted that. I do not have the answer to the Written Question in front of me so I will need to consider that and I will come back to you with an answer.

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

May I just say that if we have erred in the answer, I would be pleased to revisit it and make sure we do answer the question fully.

**The Deputy Bailiff:**

Thank you, Chief Minister.

**Deputy J. Renouf:**

Shall I now ask the Oral Question?

**The Deputy Bailiff:**

I would be grateful if you did, Deputy Renouf, yes.

**Deputy J. Renouf:**

It is a much simpler one.

**4.2 Deputy J. Renouf of St. Brelade of the Minister for Infrastructure regarding the expressions of interest process for Les Creux Pavilion. (OQ. 29/2026):**

Will the Minister provide an update on the expressions of interest process for Les Creux Pavilion?

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

I thank the Deputy for his question. The Deputy and his fellow District representatives will be aware that our discussions with the Jersey Community Land Trust have now concluded amicably. I am pleased to confirm that discussions are progressing with various parties towards the agreement of a lease for the future use of Les Creux. These are now at a sensitive and confidential stage, and I expect that we will be in a position to provide a further public announcement in the next 2 weeks. I will aim to keep Parish representatives informed in the first instance, as I have sought to do in recent weeks.

**4.2.1 Deputy J. Renouf:**

I appreciate the Minister's comment that this is a sensitive matter. He says that discussions with the Jersey Community Lands Trust have concluded amicably. Can he provide any information on what the resolution of those discussions was?

**The Connétable of St. John:**

I understood that Deputies have been circulated a copy of correspondence in confidence. I can confirm that we are not proceeding with the Jersey Community and Land Trust and in their correspondence, which I believe was circulated, I was pleased to see them praise officers in Jersey Property Holdings for their work during this process.

**The Deputy Bailiff:**

Are there any further questions for the Minister for Infrastructure in relation to this question? Supplementary? I think if you ask a supplementary, it is a first time round when I ask you I think you do get a supplementary but if a number of ... sorry, that is if another Member raised a question so perhaps, no, you do not get a supplementary on this occasion. Sorry.

**4.3 Deputy M.B. Andrews of St Helier North of the Minister for Social Security regarding the information technology Transform Programme in the Employment, Social Security and Housing Department. (OQ. 32/2026):**

Will the Minister advise whether there were any issues identified with the delivery of the information technology Transform Programme in the Employment, Social Security and Housing Department; and if so, what problems were encountered?

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

The Transform programme is still in the development phase, with its first major phase focusing on delivering the foundations of the technology platform and implementing income support and its related services. As with any large and complex I.T. (information technology) programme, issues and risks will arise during delivery. These are identified and reported through established governance arrangements, including regular risk and issues reviews, programme board reporting and independent assurance and, of course, escalation to the political oversight group when necessary.

**4.3.1 Deputy M.B. Andrews:**

The reason why I am asking this question is because one source has alleged that the implementation has gone wrong and potentially it could be running into the cost of millions of pounds. I would like to know whether the Minister could confirm whether this is true or not.

**Deputy L.V. Feltham:**

This is a multi-million pound project already. It is a very complex project. If the Deputy has any concerns arising from any discussions he has had, I would appreciate it if he could have those in private with me.

#### **4.3.2 Deputy I. Gardiner of St. Helier North:**

Can the Minister confirm if the programme remained within its original budget envelope and, if not, what is the gross from the expected budget?

[10:00]

#### **Deputy L.V. Feltham:**

I answered that question in the last sitting. We are operating within the anticipated budget.

#### **4.3.3 Deputy J. Renouf of St. Brelade:**

Given the chequered history of I.T. projects in the Government sector, I think it is relevant for the Assembly to know whether the Minister is prepared to flag whether there are serious delivery issues, rather than those being the result of a confidential discussion between Deputy Andrews and the Minister. Whether we could hear whether there are any red flags that have currently been raised, or whether there are issues which may come to light in the future. Could we hear about them now?

#### **Deputy L.V. Feltham:**

I do not operate on gossip. If there were any issues, I am sure that they would be raised to the political oversight group, that is the correct governance procedure. I would be more than happy for my officers to share the risk registers, and the issues registers with the Public Accounts Committee. This is an operational matter and that would be the most appropriate way forward.

#### **4.4 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Treasury and Resources regarding the Draft Water Law (Jersey) Amendment Regulations 202- (P.26/2026) and the regulatory limits for PFAS in mains drinking water. (OQ. 27/2026):**

Will the Minister advise what engagement there was with her about the Draft Water Law (Jersey) Amendment Regulations 202- (P.26/2026) and the regulatory limits for P.F.A.S. (Per- and polyfluoroalkyl) in mains drinking water that are proposed, and in particular whether any assessment of funding applications and technical solutions was provided to confirm the required changes can be achieved within 5 years? If no such assessment was provided, does she know why not?

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

I was not aware of the Draft Water Law (Jersey) Amendment Regulations prior to the proposition being lodged. Following lodging, Jersey Water has contacted me and other ministerial colleagues to raise issues about the potential costs implications and the feasibility of delivering the required changes within the proposed 5-year period. Regulatory and operational matters of this nature do sit, however, with the Minister for the Environment, who I understand wanted to ensure that this important issue, which the Council of Ministers takes very seriously, especially P.F.A.S., could be debated within this term of Government. Jersey Water welcomes this work and the opportunity it presents to further increase Jersey's water quality. Our water is already well below all current E.U. (European Union) and U.K. (United Kingdom) regulatory standards for P.F.A.S. The company has been working closely with the Regulation Directorate and the Water Quality Safety Board on the matter of P.F.A.S. limits for some time. An assessment of the funding implications and technical solutions is now underway with Jersey Water to confirm the likely long-term costs of implementing the regulations.

#### **4.4.1 Deputy H.L. Jeune:**

I thank the Minister for her answer. If no detailed funding and technical delivery assessment was completed prior to lodging P.26, does the Minister consider it prudent to set binding regulatory limits without confirmed financial and engineering feasibility?

**Deputy M. E. Millar:**

The issue here is that there are a wide range of technologies that could be employed to successfully implement these regulations. Depending on the nature of the technology finally chosen, the cost could be very different. There is a very wide range of potential options, and a very wide cost range. Jersey Water is piloting. It has already done some testing and is continuing to pilot the most promising solutions this year. Until those pilots are complete, we cannot be definitive about the cost implications. Some options may require significant Government investment or borrowing and could result in a substantial increase in water bills. However, cost implications will be brought forward to the Assembly before we debate the proposition.

**4.4.2 Deputy J. Renouf of St. Brelade:**

Is the Minister prepared to say whether or not the proposed funding for this, which Jersey Water has very clearly indicated it will need help from the Exchequer with, will the appropriate mechanism for delivering that funding be through investing in the Investing in Jersey programme?

**Deputy M. E. Millar:**

I think there is already some investment in water within the Investing in Jersey programme. I cannot say whether that relates specifically to P.F.A.S.; it may be to do with the mains water extension. It really depends on what option is taken. There are multiple options and we would have to consider whether ... it may be that some are fundable by Jersey Water within its own resources, but what matters is that it is able to do the testing to devise an appropriate system that works for Jersey, because something that may work in another jurisdiction, may not work so well in Jersey, or may be more costly in Jersey because of the nature of our water. It is, as you would expect, a very technical subject.

**4.4.3 Deputy J. Renouf:**

Would the Minister agree that it is perhaps not the best example of joined-up Government that regulations were brought forward without considering the implications for the Minister for Treasury and Resources in terms of what the funding implications of those regulations will be for Government?

**Deputy M. E. Millar:**

I think that was a genuine oversight. I think the regulation division took perhaps too narrower a view and considered that there would be no cost to them. I think they have been speaking to Jersey Water about potential costs, but that did not find its way into the proposition. As I say, that information will all come forward before we debate the proposition.

**4.4.4 Deputy I. Gardiner of St. Helier North:**

As the Minister indicated, she was not involved in the discussion prior to lodging the regulations, but would the Minister advise if she was involved in any discussions arising from the reports and recommendations of the Scientific Advisory Panel in relation to P.F.A.S. contamination? In particular, because of the recommendations, if any financial assessment and implications were presented to her.

**Deputy M. E. Millar:**

The Council of Ministers has discussed all of the reports that have come ... I think we have discussed all of the reports at various points that have come from the Scientific Advisory Panel, and we have looked at the recommendations and what might be done. Not all of those will require immediate cost that is not already accounted for, but where there is work going forward, then clearly that work does need to be costed and it needs to be taken into account.

#### **4.4.5 Deputy I. Gardiner:**

My question to the Minister was: has she been presented with any potential financial implications for water treatment infrastructure, long-term liabilities or regulatory compliance through the discussions that they had with the Council of Ministers?

#### **Deputy M. E. Millar:**

We have had a very broad ranging discussion about the recommendations and the likely responses to them. Those relate to public health matters as well as to future treatment of the water. Again, I really do have to emphasise that our water is already at a very high standard in terms of comparable jurisdictions, in terms of our water treatment. We will look, as we go forward ... this is possibly the first time we have really had to look at a major impact on water treatment and that will be considered very carefully before a final decision is made.

#### **4.4.6 Deputy H.L. Jeune:**

The Minister has clearly explained that this is a very technical issue with a potential range of solutions to be able to meet a regulatory standard that this Assembly will have to decide on, that will have to be set within the next 5 years. Could the Minister give us an assurance that the Assembly will see these range of solutions and figures before we debate this on 24th March, which I believe is within a month's time?

#### **Deputy M. E. Millar:**

I think I have said more than once already that funding and cost implications will come forward before we debate this. We will be presenting cost implications. I think it is a slightly difficult thing to be prescriptive about at this date, because Jersey Water still does need to complete the testing. It needs a full year to do the testing because something that works in the summer may not work in the winter when there is very heavy rain. So, it does need to have a full year. It needs to test across the Island, because water in one part of the Island can be different from the water in another. So, there is a lot of testing to be done. That will then inform what the best solution is. There may be solutions that will be relatively inexpensive; other solutions will be very difficult and much more expensive to implement. So, we do just need to think carefully about what the solution for Jersey is, and Jersey Water is working on that. But the Assembly will have details before we debate the Minister's proposition.

#### **4.5 Deputy B.B. de S.V.M. Porée of St. Helier South of the Chief Minister regarding Modern Day Slavery legislation. (OQ. 31/2026):**

Will the Chief Minister advise what discussions, if any, he has had with Ministers regarding the introduction of modern-day slavery legislation, and what has been the outcome of such discussions?

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

The Minister for Justice and Home Affairs and I have discussed the issue on a number of occasions since 2024, and most recently the Minister has asked officials to consider policy and legislative drafting that would be required to take something forward or put something in place. I intend to ask, when they have done that, for details to be presented to Council of Ministers for a broader discussion.

#### **4.5.1 Deputy B.B. de S.V.M. Porée:**

What has been the main reason that prompted the Chief Minister to issue a media statement with the intention of introducing a dedicated modern slavery legislation in Jersey to strengthen against exploitation?

#### **Deputy L.J. Farnham:**

Of course, nobody in this Assembly or this Island wants to see exploitation, and it is something that the Minister for Justice and Home Affairs has been, I think, championing for some time, back to at the time when she was on Scrutiny. The legislative drafting has been sitting in the development pool for some time but was put back to allow for the Violence Against Women and Girls drafting to take place. Given some recent concerns combined with the logistics of the law drafting programme, that led to a joint statement being issued by the Minister for Justice and Home Affairs and myself.

#### **4.5.2 Deputy M. Tadier of St. Brelade:**

The Minister mentioned work that is going on with the Violence Against Women and Girls, and that has taken priority, but does the Chief Minister also acknowledge the fact that when it comes to modern-day slavery practices that maybe also present in our Island, those are very much things that can affect women and girls, and the precariousness that some immigrant workers may find themselves in the Island if they do not have sufficient protections can very much lead to the type of violence and abuse that we do see very much directed at women in Jersey?

#### **Deputy L.J. Farnham:**

Yes, I do accept that, which is what has made the Violence Against Women and Girls legislation extremely important. I would remind Members that any reports of modern-day slavery or exploitation will be thoroughly investigated at the moment under current legislation. There is a raft of legislation that can assist with minimising the risk and dealing with allegations of modern-day slavery and exploitation and certain charges would be appropriately pursued under existing legislation.

#### **4.5.3 Deputy M. Tadier:**

Does the Chief Minister agree that part of the issue here may be that we have a system where the employer very much holds the work permit on behalf of the employee, and that it could be argued ... and part of the finding of the Scrutiny Panel review only a couple of years ago was that ... we did not use this word, but that it can be argued that the employee is effectively like a chattel of the employer. They cannot move around freely. They cannot change jobs without the permission of the current employer and therefore there is a potential for that asymmetric relationship to become an abusive one. Is that something that the Chief Minister is concerned about and would he be willing to address that in any move to bring in modern anti-slavery legislation?

[10:15]

#### **Deputy L.J. Farnham:**

I would not, perhaps, agree with the phrase “chattels”, but I get the point that the Deputy is making and that certainly needs some further consideration whether we stick with those rules. I know there are - and the Minister for Justice and Home Affairs would be better placed to answer the detail on this - some laws based around permits, immigration permits, and employment. In principle, yes, I think that perhaps needs another look.

#### **4.5.4 Deputy I. Gardiner of St. Helier North:**

I would like to check with the Chief Minister, following Deputy Tadier’s question. Is it anything that this Council of Ministers can bring as a Ministerial Decision or update of the permit policy before bringing the modern slavery legislation forward, such as work permits? We understood that the legislation will not be brought forward this term, but what the Chief Minister and his Council of Ministers can do in the meantime to make tangible differences for the migrant workers.

#### **Deputy L.J. Farnham:**

I think that is a question for the Minister for Justice and Home Affairs. The Minister for Justice and Home Affairs can take action if she feels necessary. As I alluded to in my response to Deputy Tadier,

current legislation does ensure any accusations of modern-day slavery exploitation we thoroughly investigate. I do not think in that case the Cabinet Ministers are minded to bring anything forward before the election. Like I say, we have a presentation from officials and will get the direction of travel moving if that is what the Council of Ministers agrees to do.

**4.5.5 Deputy I. Gardiner:**

I will challenge the Chief Minister because I think that the population policy and work permit are sitting solely with the Chief Minister's office and the Assistant Chief Minister. Would the Chief Minister consider how the situation can be improved before the full legislation would be brought forward, which was delayed by his Council of Ministers?

**Deputy L.J. Farnham:**

I refer to my previous answer.

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

In the light of all the other questions and answers, what would be the proposed timeline for bringing forward the formal proposal, if any?

**Deputy L.J. Farnham:**

I think, should the Council of Ministers agree, officials could be instructed to start work on the drafting during the period bringing us to the election period, when the States is in purdah. There is some space there in the drafting programme, I believe, so it could start then, and then it would be up for the new Council of Ministers and a new Assembly to take it forward.

**4.5.7 Deputy R.S. Kovacs:**

Does the Chief Minister anticipate or intend this work, at least the in-principle decision, be done within the current term?

**Deputy L.J. Farnham:**

I do not think we can make decisions during purdah, if I understood the question correctly. The Minister and I are looking forward to getting the views of the Council of Ministers when we put the matter before them, so we will make the appropriate decision at that time.

**4.5.8 Deputy B.B. de S.V.M. Porée:**

Would the Minister be in a position to give his word that if he gets elected again, and if he occupies the chair of Chief Minister, would you take this issue as a matter of urgent consideration into your portfolio to be?

**Deputy L.J. Farnham:**

Well, I need to get re-elected. If I just leave it at that, if I may? I think it is clear that this is a matter of concern. The Minister for Justice and Home Affairs and I have discussed, we are going to talk about it at Council of Ministers. We want to make sure that we protect the most vulnerable people in our community and the introduction of the appropriate, balanced modern-day slavery legislation that would be right for Jersey is something that I think needs to be a high priority for this Government and this Minister, and I would hope that carries on into the next Government.

**4.6 Deputy D.J. Warr of St. Helier South of The Minister for Education and Lifelong Learning regarding procedures put in place to protect staff and pupils from potential terrorist offences. (OQ. 33/2026):**

Further to the arrest and subsequent detainment in 2024 of a man charged with terrorism offences, will the Minister detail what procedures, if any, were subsequently put in place to protect staff and pupils from such events in the future, and will - I can say "she" here, it says - will he further confirm

if any of these procedures were implemented during the recent event at Haute Vallée School, and if no such procedures exist, why not?

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

I do not mind being called she; I do not have any issue with that. I am happy to detail for the Deputy actions that took place following the arrest of the man charged with terrorism offences in 2023. Incident specific meetings took place between C.Y.P.E.S. (Children, Young People, Education and Skills) officers and the Emergency Planning Officer to agree a proportionate response, to assess risks at a school-by-school level. Face-to-face site specific assessments followed at St Peter's, the Les Quennevais School in agreement with the States of Jersey Police, and we also hosted a visit at the Metropolitan Police counter-terrorism team. I can confirm that appropriate critical incident procedures were applied by the staff and pupils in the most recent event. I would say I am sure that the Deputy, and perhaps the Assembly, will join me in thanking the staff for their swift and professional actions that dealt directly with the incident and the well-being of students and staff after the incident.

**4.6.1 Deputy D.J. Warr:**

Could the Minister say how the Teacher's unions are supporting teaching staff members with respect to terrorist incidents and knife crimes in schools?

**Deputy R.J. Ward:**

In a previous life, I could have spoken for the unions. In this life, I will not speak directly for the unions, but I know that we will engage at a school level with all parties that represent schools in order to ensure that procedures are in place. It is a difficult one, because these events are incredibly rare in Jersey. Incredibly rare, and I am very thankful of that. So, we have to have a proportionate response that is there in the background and safe but does not create undue worry for our students and parents and staff. I think that balance is, at the moment, very good, and we would work on anything that we can to make sure that balance is correct.

**4.6.2 Deputy I. Gardiner of St. Helier North:**

I join the Minister saying, he is completely right that these incidents are, thankfully, completely rare and I do believe that Haute Vallée School's reaction was very effective. I would like to check with the Minister, based on all this incident, does he plan to provide extra additional training for the staff on how to deal with these incidents?

**Deputy R.J. Ward:**

Additional guidance on how to support young people in response to a critical incident, which is really important as well, is specifically provided by the counter-terrorism policing website in England and was added to policies in 2023. So, there is something that was introduced. The Guidance to Critical Incident Management for Schools and Educational Services document was reissued in 2018, as the Deputy probably knows, building on previous iterations back in 2006. Work is ongoing and reviews of any incident will be undertaken, and improvements made where we possibly can. I am not going to give the figures because they are quite scary, but a significant amount of money has been spent on fencing and security and changes to security in schools. But I will reiterate, again, these events are incredibly rare. We have a culture on this Island where these events are rare. We need to maintain that culture and that is the key thing here: to reassure parents, to reassure students and to reassure staff as well that everything will be done where we possibly can to make our schools as safe as possible. Sorry, did I miss something?

**Deputy I. Gardiner:**

And if the Minister can extend what additional training, if any, will be provided to the staff.

**Deputy R.J. Ward:**

Well, the training is through the guidance being reissued and training where is necessary. Haute Vallée School itself, I know, is undertaking some visits in the next few weeks to look at what possible training might be needed for staff, and also to review the incidents and what good practice it could pass on to other schools. That is an ongoing process, part of the professionalism of our teaching profession and our schools.

**4.6.3 Deputy D.J. Warr:**

I am sure the Minister is aware of this, but in the same way that health and safety is dealt with on a regular basis, I understand that in the U.K. there is what they call a “lock-down template” that has been used and issued in U.K. schools. Is there a way in which that can be brought together with health and safety to reassure teachers that they are getting the best possible help?

**Deputy R.J. Ward:**

So, there are lock-down procedures in school, the point being they are not practised, if you like, as they are in other jurisdictions because we are not in the same place as those other jurisdictions. Yes, absolutely, we would ensure that those things are there. School leaders also have access to online training since 2025, and face-to-face scenario-based training led by officers in the police has taken place in some schools. We take these issues extremely seriously. We cannot hermetically seal our schools. We do not want to. We have a better culture than that. But I reassure the Deputy that those things are happening, but it is that balance. We do not want to create a fear that does not need to be there. Our schools are open, kind places and we want to keep them that way.

**4.7 Deputy J. Renouf of St. Brelade of the Minister for Social Security regarding the Comptroller and Auditor General’s report into Jersey’s Health Insurance Fund. (OQ. 20/2025):**

Further to the Controller and Auditor General’s report into Jersey’s Health Insurance Fund, the H.I.F. (Health Insurance Fund), will the Minister provide her initial response to the findings of the report?

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

I am very grateful to the Comptroller and Auditor General and her team for the detailed analysis that they have undertaken of the H.I.F. I worked closely with the Comptroller and Auditor General when I was chair of the Public Accounts Committee, and I have great respect for her and her work. The report that they have produced is comprehensive and fact-based, exactly as I would expect, and I was pleased to see that the recommendations are in line with the actions that are already being taken by my team to improve the governance of the fund. These recommendations made by the Comptroller and Auditor General, and the findings, will only serve to strengthen the work that we are already doing.

**4.7.1 Deputy J. Renouf:**

I am pleased the Minister referred to the recommendations. Recommendation 4 says: “The Minister should prepare a detailed plan to ensure the longer-term viability of primary care and pharmacy services which are currently funded by the Health Insurance Fund.” Does she accept this recommendation and if not, why not?

**Deputy L.V. Feltham:**

Yes, of course, I accept that recommendation. It will, of course, in the near future be up to possibly another Minister to take that forward, but I will say we are already undertaking work in respect of this and that is being led by the Minister for Health and Social Services. As the Deputy will know, as vice-chair of the Scrutiny Panel that scrutinises me, I have always felt that Health funding needs to be looked at holistically and as a whole so that we can get the whole picture. The very important

services that are currently funded by the Health Insurance Fund can lead to savings in secondary care. We also need to look at things like health promotion and how we make sure that our whole health system is funded adequately and that is indeed a priority.

#### **4.7.2 Deputy H.L. Jeune of St. Jon, St. Lawrence and Trinity:**

The Minister has touched on this within her last answer but given that the Government accept that the H.I.F. will run out by the early 2030s, what is her preferred source of revenue for meeting ongoing costs that are currently funded by the H.I.F. beyond this date?

#### **Deputy L.V. Feltham:**

As I said in my previous answer, I think it is really important that we understand the pressures on health funding as a whole, and it is only when we have got the full understanding of all of those costs that I believe that we can look at the correct level of funding and how we fund those going into the future.

#### **4.7.3 Deputy H.L. Jeune:**

Now we are coming to the end of our time in the States Assembly, I believe that we have heard this before that there is an issue with health funding and that we need to look at it but we have yet to see any concrete strategy around this. I was just wondering if the Minister can put a timeline on that because 2030 is coming close and fast. I have got that in my mind because it is a big birthday year for me. If we are going to run out of money for the H.I.F. we do need to get on with finding a strong strategy for the health funding, so if she could put a bit of a timeline on that in that we have not had that for the last 4 years.

[10:30]

#### **Deputy L.V. Feltham:**

I think that the report that was produced and made public last week gives a really sharp focus to the need for dealing with this issue. It also enabled me to have a conversation with my chief officer around the work that is being undertaken across Government around health funding. I have asked for further assurance that there is a good concrete project plan in place with timelines and I have asked for evidence of that, but of course any further decisions around where funding comes from within the next Government will indeed be done by the next elected States Assembly. I do urge people who are thinking of standing for the States to think very carefully about that when putting their manifestos together, and I also encourage voters to think very carefully about that when they are placing their X in the boxes.

#### **4.7.4 Deputy I. Gardiner of St. Helier North:**

Recommendation 3 says: "The Minister should prepare and implement a formal policy statement specifying the minimum balance to be held in the Health Insurance Fund." Does she accept this recommendation and, if not, why not?

#### **Deputy L.V. Feltham:**

I think the recommendation presupposes that the Health Insurance Fund is to continue as it currently is. I think until that piece of work is undertaken with regard to health funding as a whole, it would be very difficult to say what the balance of the Health Insurance Fund should be. My main focus and priority is, at this point in time, ensuring that that piece of work on health funding as a whole is prioritised, is delivered and then can inform future investment in health. I think what we are seeing now is around underinvestment in the past. What is happening and what has happened to the Health Insurance Fund is not just due to the actions of this Government. This Government has been in office for 2 years. We need to look at the actions of past governments; funding decisions that were made by past governments. We need to learn from that for the future.

#### **4.7.5 Deputy I. Gardiner:**

It is an interesting comment that there was an amendment to the Budget when we tried to restrict spending from the Health Insurance Fund and the Minister's Government said: "No, we will continue to spend from the Health Insurance Fund." Going forward I would like to ask the Minister if any policy decision or any development they have done over the 2 years of her tenure will be presented to the States before the end of this term?

#### **Deputy L.V. Feltham:**

Let us be clear, the additional money that has been spent out of the Health Insurance Fund has been about very important primary care needs for our community, things like wound dressings, things like diabetes care, things like free G.P. (general practitioner) access for children. Children were previously being taken to the Emergency Department because that was the only way to access free medical treatment. I am committed to working together with the Minister for Health and Social Services and the Minister for Treasury and Resources. As I said in my previous answer to a question, I am also committed to ensuring that the correct project management process is in place to ensure that the civil service is working on this very problem during the purdah period and beyond and has very, very clear performance indicators on that project.

#### **4.7.6 Deputy J. Renouf:**

The Minister seems to have read a slightly different report to the report that I read. This report was a report looking at the performance over the course of the last few years. It is one of the most critical reports I have read from a Comptroller and Auditor General. It says that the H.I.F. is not sustainable in its present form, there are no tangible plans for primary care in the context of a sustainable integrated health model and the Government do not routinely assess value for money from new initiatives. It says that the Government have not established a mechanism to ensure that the increased grant to G.P. surgeries goes towards fully reducing fees. It says that the Government said they would intervene if this happened but produced no mechanism for doing so. Will the Minister accept any of these criticisms that have been made and explain why these things were not done, as the Comptroller and Auditor General has clearly identified? She does not dispute the fact that the money has gone to good causes. It is about the mechanisms that have been used.

#### **Deputy L.V. Feltham:**

I will remind the Deputy that a number of those criticisms he referred to were actions that took place when he was in Government. That aside, I think what is important is the actions that we are taking, the actions around the digital health services, actions to improve systems so that we get better data, so that we can look at value for money into the future, but also not making people wait for the health help that they need right now while we get those systems in place.

#### **The Deputy Bailiff:**

That brings to an end all the questions that have been listed but there is a further question that has been approved as an urgent oral question under Standing Order 15. Deputy Renouf will put his question to the Minister for Health and Social Services.

### **5. Urgent Oral Question**

#### **5.1 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding proposed changes to publicly funded healthcare eligibility policy:**

Further to the proposed changes to policy regarding publicly-funded healthcare eligibility policy, off-Island travel and accommodation policy and discharge-ready patients remaining in hospital, will the Minister provide further details as to how and when these proposed changes might be operationalised?

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

Firstly, I do not know if I am allowed to express my surprise but I am a little surprised that this has been allowed as an urgent question because I am not quite sure where the urgency comes from. The Deputy has been aware that these policies have been under consideration for some time. We have now got them into a written form. The Deputy will know that they are tabled for discussion with the Advisory Board on Thursday, because I wanted to take the opportunity to air these ideas and get the feedback and opinions from the Advisory Board. After all, that is what they are there for. All I can say is that once I have had a chance to discuss it with them, we will give it further consideration and I will be in a better position then to answer the Deputy's question a bit more accurately. I can add that I think it would have been the easiest thing in the world to avoid this because there is an election coming up, but as far as I am concerned we need to be more honest with the public, and that is what I am trying to do. I am trying to confront the real problems that we have got and do that in spite of the election. If I am to be criticised for that, well, too bad.

**5.1.1 Deputy J. Renouf:**

I have not made any criticism, and I note that the Minister has made the same observation regarding every single urgent oral question I have successfully tabled to ask him. I accept that we are at an early stage. However, the questions that have been raised by the tabling of these proposals will raise legitimate concerns among the public. Will the Minister perhaps answer 2 follow-up questions? One of them relates to the very first question I asked him, which is what timetable is the Minister working to in terms of implementing these changes, bearing in mind that most of these changes will be implemented by order, which is why I think it is an urgent question. It could happen at any point. What timetable is he working towards and what consultation with the public is he planning in relation to any or all of these changes?

**Deputy T.J.A. Binet:**

I think I will make the point again. I do not have a set timetable for these things. It is part of an awful lot of other work that is going on. Maybe it is just the way I work but we are taking this thing forward, I will be speaking to the Advisory Board on Wednesday evening and we will make our further decisions then. If the Deputy has got some further concerns he would like to discuss with me privately, I am very happy to meet with him privately and go through it in more detail, but I do not have a set timetable. I would like to move things on as quickly as I can because I think these things are reasonably urgent.

**Deputy J. Renouf:**

Sir, point of order. I asked about the consultation, whether there would be a consultation. I do not believe that point was answered.

**The Deputy Bailiff:**

Minister, can you answer that, please?

**Deputy T.J.A Binet:**

I shall be discussing this with the Advisory Board on Wednesday. We can raise the issue of consultation. It may be something that they advise me to undertake but, as I said, the next thing ... as I said, we are spinning an awful lot of plates in Health at the moment and this is not the only thing that I am dealing with. I am sorry if I am not giving it quite enough attention but I will just be interested to hear what the Advisory Board has got to suggest to me on Wednesday.

**5.1.2 Deputy I. Gardiner of St. Helier North:**

Would the Minister advise if he has done modelling on potential cost implications to the family and if this modelling will be presented to the Advisory Board?

**Deputy T.J.A. Binet:**

No, there has not been any modelling undertaken, certainly not that I am aware of anyway.

**5.1.3 Deputy I. Gardiner:**

A supplementary question: would the Minister advise if he intends to sign the order before the elections or will it be left to the next Minister for Health and Social Services?

**Deputy T.J.A. Binet:**

I am going to have to say this for, I think, the fifth time. I shall be talking to the Advisory Board about that. We have got an election coming up. I am not sure whether it would even be possible to implement these things properly, because there needs to be some preparatory work done, but it is work in progress. I am not sure if that is quite understood.

**Deputy I. Gardiner:**

My question was very simple. Does the Minister intend to sign the order for these changes before the elections?

**The Deputy Bailiff:**

I think he had already answered the question.

**Deputy T.J.A. Binet:**

I simply do not know. I do not know how many times I can be called upon to answer the same question, but I simply do not know.

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

I will just start by saying that I think this is a matter of public interest and that is one of the reasons why we are here, elected to this Assembly, to ask questions of Ministers. How have the income levels been set for the proposed travel and accommodation policy? Will they be increased annually in line with inflation or average earnings, for example?

**Deputy T.J.A. Binet:**

Of course this is in the public interest. That is the very reason that I am doing it, as I say, perhaps unwisely before an election. I am making it a public issue by putting it in the papers for the board to comment upon. I do not see there is anything wrong with that. Sorry, could the Deputy repeat the detail of the second part of her question, please?

**Deputy L.K.F. Stephenson:**

Certainly. How have the income levels been set for the proposed travel and accommodation policy? Will they be increased annually in line with inflation or average earnings, something like that?

**Deputy T.J.A. Binet:**

I will answer the second part first. That is something that will have to be decided by a future Government. To be honest with you, I do not know exactly how we have come up with the modelling but it is something I am happy to pass on to the Deputy after the Assembly.

**5.1.5 Deputy L.K.F. Stephenson:**

Given that the justification for the 3 proposed policies being put out there for discussion is around the ongoing cost pressures on the health service, will the Minister perhaps give us an indication about when he believes we will have a long-term funding solution for our health service?

**Deputy T.J.A. Binet:**

The fact is it is a shame in a way that the current team have only had 2 years. I think I have been quite plain that the order of priorities for me was to try to get the service in order first and then worry about the longer-term funding in the longer term. Members will know that the Budget was very generous to Health. The health service needed more money. We have now got more money and we can start to address the critical problems that we have got. The job now is to make that funding sustainable, so we are going to do as much work as we can between now and the end of April. Who knows where the election process will take us but we can only work at the speed that we can go.

#### **5.1.6 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:**

I have not been part of the scrutiny so obviously the only information I have is from the *Jersey Evening Post* and these questions come from that as a member of the public in asking questions. I felt that the Minister's answers to various questions about this proposal were very top level and there was not any detail. Does that mean that the Advisory Board is just being given the suggestion at a top-level point or is there detailed information that the Advisory Board will give detailed answers on and direction for the Minister that then will be published so that we will be able to see the outcome of that?

#### **Deputy T.J.A. Binet:**

I certainly do not want to be openly critical of the *J.E.P. (Jersey Evening Post)*. That would not be a sensible thing to do at this point in time **[Laughter]** but could I suggest that it would probably be to the Deputy's benefit if she spent a little bit less time looking at the *J.E.P.* and went into the board papers that are available online, and I think in here we have 66 pages of detail. I am quite happy to pass the file over to the Deputy for study.

#### **5.1.7 Deputy H.L. Jeune:**

I think that is why there have been several questions in this Assembly to ask about the detail, so that the Minister will be able to correct maybe what has been seen in the public so far and so that the public can hear what is in the detail of the board. Unfortunately, my time is limited, and I am sure that of many of the public is limited, to read 66 pages of very detailed information. My question is maybe the Minister could answer a few questions of what is next after the Advisory Board has given suggestions to the Minister on where to go. When will we hear the outcome of that and will the Minister be making a statement or telling us a bit more detail in a succinct manner instead of us reading 66 pages?

[10:45]

#### **Deputy T.J.A. Binet:**

I had not planned to make a statement about this. As I said, there is a great deal going on in Health and this is one of a large number of different strands. I cannot say that I think I will be making a statement about this, having taken advice from the board. I do not think at this stage there will be sufficient to say on the matter.

#### **The Deputy Bailiff:**

I think we have had enough questions, so a final supplementary, Deputy Renouf. Yes, I know, but I think we have spent more than 5 minutes on this question.

#### **5.1.8 Deputy J. Renouf:**

I am slightly surprised at the Minister's sensitivity around this, given that there will be members of the public who will be worried that they may be forced out of hospital beds that they feel that they would have been able to stay in before this came in, and that people with long-term health conditions may be asked to contribute quite a large sum of money for staying for long periods in the U.K. or making repeat trips. There are 66 pages. I have read most of them, I think, but I have not seen

anywhere in it the amount of money that the Minister thinks will be saved. Has there been a cost-benefit analysis of this, given that it will cost money to bring in these changes in terms of administration of thresholds and so on? Can he say how much money it is planned to save by the implementation of these, since that is, as I understand it, the whole rationale?

**Deputy T.J.A. Binet:**

No, we have not carried out a cost-benefit analysis. Sometimes you have just got to get on with things that you know are the right things to do. One of the key things that we are doing here relates to people who are bed blocking and a charge is being introduced to try to bring about some behavioural change so that people do not spend a month in hospital waiting to get the right care home when other people are waiting for operations. As I say, it is multifaceted. No, there has not been a cost-benefit analysis because these things take time and money to do as well and sometimes just exercising common sense does not seem to be a bad idea. I am not particularly sensitive about this. I am just a little bit flabbergasted about being asked the same question repeatedly.

**The Deputy Bailiff:**

That brings to the end the urgent oral question. We come now to questions to Ministers without notice and the first question period is to the Minister for Justice and Home Affairs. Deputy Gardiner, I saw your light first.

**6. Questions to Ministers without notice - The Minister for Justice and Home Affairs**

**6.1 Deputy I. Gardiner of St. Helier North:**

The Minister was a member of the Work Permit Scrutiny Panel and made recommendations to the Minister at that time. Now the Minister is the Minister for Justice and Home Affairs herself, could she please advise to the Assembly what, if any, of the recommendations she implemented during her tenure?

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

I thank the Deputy for the question. She is correct that I was part of the work permit policy team, which I requested to go on because of my passion for this particular subject. During the last 2½ years we have looked at modern day slavery as the initial part of my request but then found that there was a significant level of work to be done in relation to violence against women and girls legislation. In relation to the recommendations, we have reduced the case where people before had to wait 12 months to be able to move from one employer to another. That can now happen at 6 months unless there are specific opportunities or there is a specific reason as to why that person needs to move more quickly. We have changed the system whereby people can now get financial support if they are in difficult situations. That has been reduced so that they can get financial support and move away from a particular violent relationship and they are able to get income support for them with that. That is just a number of the things that we have done moving forward.

**6.1.1 Deputy I. Gardiner:**

What consideration has the Minister given to the permit that is owned by the employer to ensure that the employee has the freedom and has responsibility on his own permit?

**Deputy M.R. Le Hegarat:**

This is a matter that is being looked at because there is going to be a total overhaul in relation to the work permit and whether that is the right way forward for Jersey. That is a big piece of work that will be done and has already started in relation to Customs and Immigration. What I will highlight to you is the fact that I know there are people that feel that the work permit in the name of the holder, as in the employee, would be of benefit. This is being looked at. However, what I will say is that the recent prosecution that was successful in the court would not have been so if the person had

owned or the employee was the holder of the work permit because that was a result of the fact that the employer was holding the work permit. Those rules were in relation to immigration, so that is why we had a successful prosecution.

## **6.2 Deputy M. Tadier of St. Brelade:**

My question relates to some comments made by the Minister in her report of the Criminal Justice (Procedures) (Jersey) Amendment Law 202- (P.38/2026) that she lodged. The Minister made the comment saying: "Today we have seen the significant confusion, expense and distress that is caused by a trial ending in an uncertain manner. To ensure that this unfortunate outcome does not reoccur ..." she goes on talking about a jury trial that took place recently in Jersey with a hung jury. Does the Minister regret any of those comments that she has put on paper saying that an outcome of a jury verdict was unfortunate? Does she believe that could undermine the criminal justice process and also the valid deliberations of the jury that took place, which resulted in an acquittal?

### **Deputy M.R. Le Hegarat:**

The Deputy asked about a hung jury and there being an acquittal. The problem with hung juries is that there is no acquittal and there is no conviction, so in actual fact there is no result for either party. I think it is unfortunate that the person who is the suspect within the trial does not have any result and neither do the victims of that particular individual. I think it is unfortunate when we end up in a hung jury. It is unfortunate for both parties and that is why we are bringing forward the recommendation that this will be allowed in certain circumstances. It would be at the decision of the Attorney General and, therefore, if it was not the case that there would be another trial, that would be an acquittal. If there was another trial, again depending on how that panned out, if that was still a hung jury that would also be an acquittal. I think it is about trying to get a resolution for both parties.

### **6.2.1 Deputy M. Tadier:**

Does the Minister accept that there is a point of view that, whether in this specific case or in a theoretical case, where there is a hung jury that is very much an outcome and that in this case and in hypothetical cases the jury was not convinced beyond reasonable doubt by the evidence that the prosecution presented to being able to return a guilty verdict. Therefore, because in our system - and I hope the Minister would agree - somebody is innocent until proven guilty, it is necessary to let that person walk free as an innocent. If the Minister does agree with that, does she accept that it is probably not right in her comments to talk about the confusion, expense and distress that such a trial has caused, given that this trial in particular was no more expensive than a trial that might have ended in an absolute not guilty or an absolute guilty verdict, rather it was justice being done under the very law that we have currently in place?

### **Deputy M.R. Le Hegarat:**

In relation to the system that we currently have, I do not think we do have a result. I think it is unfortunate, and I know that for me it is not a good situation for either party to have a hung jury because no party has an answer to the question. That is what my concern is. I fully understand what the Deputy is saying and I understand that there is different discussion in relation to hung juries. We are one of the few jurisdictions that does not have an opportunity and, of course, as I said, it would be on one occasion and it would be a decision made by the Attorney General. If the Attorney General chose not to do that, depending on the circumstances ... because obviously each case will be on its own merits. The thing for me is I think for the person who is on a hung jury, it is very difficult for them moving forward as well.

## **6.3 Connétable K.C. Lewis of St. Saviour:**

Further to a recent increase in the use of electric scooters, predominantly on pavements, will the Minister, in association with Council of Ministers colleagues, be developing a policy to combat this use?

**Deputy M.R. Le Hegarat:**

I am sure the Constable of St. Saviour knows that that legislation sits with the Minister for Infrastructure. However, in relation to the use of scooters, *et cetera*, on pavements, as and when resources allow, these matters will be dealt with and it obviously will be something in the future that will need to be looked at better. I have my own personal views on it, which I probably will not share with the Assembly, but I do think that it is a matter that needs to be looked at because it can cause serious injuries to both parties.

**6.4 Deputy H.M. Miles of St. Brelade:**

Just returning to the issue about employees holding their own work permits, we have to follow the U.K. (United Kingdom) Immigration Act as extended to Jersey. Does the Minister foresee any difficulty with Jersey branching out on its own with a different system?

**Deputy M.R. Le Hegarat:**

The thing is that the U.K. does not have work permits in the same way as we do. I would not necessarily say that we are branching out in a different way in relation to my knowledge on this particular subject, but I do think it is important that we are able to utilise the legislation that we have and that recent prosecution was down to immigration. It was not in relation to any other type of legislation, so I think it is important that we do what is right for Jersey. On the request that has been made by certain individuals that it should be held by the employee, I think we would need to look at the risks, and I personally probably would not support that.

**6.4.1 Deputy H.M. Miles:**

I thank the Minister for the answer. If it does appear that we are bound by the terms of the U.K. Immigration Act, what action will the Minister take to discuss an exemption with the Home Office?

**Deputy M.R. Le Hegarat:**

I think that that would have to be within the next Government. As I said, from my perspective I think we need to ensure that we stay within the bounds of the immigration law so that we can deal with these matters. It would have been unfortunate that an employee would have had to take an employer to court for potential issues that we have had in recent times whereby that person could be prosecuted through the Immigration Department.

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

I have had a number of emails from constituents in recent weeks concerned about potential changes being made to firearms laws without what they feel is any consultation with those who collect firearms and shoot for sport. What would the Minister say to those people?

**Deputy M.R. Le Hegarat:**

I thank the Deputy for the question. I think there has been significant confusion about what exactly has happened in relation to what has been in the media recently about firearms. Firstly, we did not have the time and opportunity to do a total overhaul of the legislation. What I asked the Comité des Connétables was to look at it, and the Constable of St. Ouen kindly did that for me along with, I believe, the Constable of St. Lawrence. They put forward some pragmatic, sensible solutions in the short term because the concern was raised in relation to the significant amount of firearms but also the amount of ammunition, potentially, that could be in the public domain. The recommendations were to reduce the amount of ammunition that people were able to have and it was obviously based on a case-by-case basis but also there were other minor, small changes, but I do not think there is any significant difference to the people within the shooting community.

[11:00]

### **6.5.1 Deputy L.K.F. Stephenson:**

Does the Minister believe that a thorough review of firearms laws is needed? If so, will she commit to a full consultation with users before any proposed changes are brought forward?

### **Deputy M.R. Le Hegarat:**

Consultation has already taken place with some users and obviously in the next Government the legislation in relation to firearms will need to be looked at. Of course, that would have to happen but there would be full consultation in order to understand users' objectives as well as the objectives of safety for all of the Islanders.

### **6.6 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:**

Further to my Written Question 351 in 2025 in which the Minister confirmed that drafting instructions for mandatory post-release probation supervision were finalised in 2025 but awaiting capacity within the Legislative Drafting Office, can the Minister advise what specific target date has now been set for the legislation to be lodged, given that this has been an outstanding recommendation since 2017?

### **Deputy M.R. Le Hegarat:**

All of the legislation obviously has now been lodged in relation to this term of office. There is a significant programme of legislation that sits under Justice and Home Affairs. There is more to come and that obviously will need to be picked up in relation to the next Assembly. When we go into purdah there will be pieces of legislation that will start to be looked at now, but effectively there will be no work done in relation to legislation or lodged prior to purdah.

### **6.6.1 Deputy H.L. Jeune:**

Could the Minister then confirm that she would give the go-ahead for the drafting of potential legislation during the time of the election?

### **Deputy M.R. Le Hegarat:**

If there is drafting capacity within the time then obviously that will go ahead. There are a number of pieces awaiting drafting, including corporate manslaughter and others.

### **6.7 Deputy J. Renouf of St. Brelade:**

When she spoke at her nomination hearing the Minister singled out modern day slavery as one of her key priorities. Can she, therefore, explain why it took until a recent high-profile court case for the Minister to announce that the Government would bring forward legislation?

### **Deputy M.R. Le Hegarat:**

As I said, it was my intention to bring legislation during this term of office. Unfortunately I have been unable to do that. It is not as straightforward as I thought it was going to be because the way that the Modern Slavery Act in the U.K. is worked, it means that there is a commissioner for modern day slavery, it means there is a total separate enforcement agency, which is not what we would want to bring to Jersey with 103,000 population. I have spoken about this subject pretty much at every single one of my public hearings and it has been on my highest priorities since I started.

### **The Deputy Bailiff:**

There is no time for a supplementary, so that concludes the first period. The second question period is for the Minister for Social Security. Deputy Renouf, you are first on the list.

## **7. Questions to Ministers without notice - The Minister for Social Security**

### **7.1 Deputy J. Renouf of St. Brelade:**

The Minister recently withdrew her proposals regarding the Jersey Employment Trust. Could she answer the question that had her proposals gone ahead, would they have involved the Government taking on a significant number of cases? It would have involved the Government taking on a significant number of cases. Was the intention to use existing personnel within her department or would it have involved recruiting new people into the Social Security Department?

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

Sir, could I ask a point of order? If I recall correctly - and I am happy to be proven wrong on this - I think there is something in Standing Orders about hypothetical questions.

**The Deputy Bailiff:**

There is, yes.

**Deputy J. Renouf:**

Sir, it is not hypothetical. It is a question asking what was the plan at the time it was conceived. That is not a hypothetical question. It is a question asking for information relating to something that happened within her department.

**The Deputy Bailiff:**

If you could confine your answer to what was the plan, as requested by the Deputy.

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

My position has not changed. It is the same position as it was this time last year to continue to work with the Jersey Employment Trust. Its current contract and funding arrangement is not fit for purpose. We extended funding before December to enable that contract negotiation and analysis to continue. Following a meeting that the Chief Minister and I had just 2 weeks ago, I believe that we are in a much better place with regard to conversations with the board of the trust, but my position remains unchanged. We have to do the best that we can do with the money that we have available. We have to make sure that organisations that we provide grant funding to have robust contracts in place with clear K.P.I.s (key performance indicators) and also we need to make sure we are not duplicating work across funded organisations and government departments.

**Deputy J. Renouf:**

This is not a supplementary because I do not think that answered the question. I asked very specifically: was the plan to use people who were already employed within Government or was it to recruit new people? It is quite a simple question.

**Deputy L.V. Feltham:**

There is currently a recruitment freeze in government. There was no plan to recruit any new people.

**7.1.1 Deputy J. Renouf of St. Brelade:**

In that case, can I ask what view she takes about the fact that there must be spare capacity within her department? Something like I think £800,000 worth of work was therefore being proposed to be brought in-house without increasing the number of people. Surely this must mean that there were people not fully gainfully employed, otherwise it would not be possible to take on the extra work without taking on extra people.

**Deputy L.V. Feltham:**

The work that we had planned with the organisation to have undertaken last year, and we will now be undertaking this year, will be looking at individual cases on a case-by-case basis to make sure that they are getting the right and correct support for them in the correct place, whether that be through a

non-government agency or a government agency. There was never an intention to displace people from services at the Jersey Employment Trust if those are the services that they require.

## **7.2 Deputy D.J. Warr of St. Helier South:**

Philip Le Feuvre House and Huguenot House, which have been empty since December 2024, have been advertised for resale. However, a large part of the wider development opportunity has not been included. I am advised by those interested in tendering for the site that this is a huge missed opportunity and will ultimately sub-optimize the value achievable. Can the Minister advise why the extended site has not been included, given this in the interests of Islanders?

### **Deputy L.V. Feltham:**

Given that the extended part of the site has nothing to do with my remit, that question would be better asked of, I believe, the Minister for Infrastructure.

#### **7.2.1 Deputy D.J. Warr:**

In that case, has the Minister spoken with the Minister for Infrastructure to improve the development opportunity on this site?

### **Deputy L.V. Feltham:**

I have had very many conversations with Ministers over the past year, I believe it is.

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

Will the Minister provide an update on how the growth funding allocated to her department for the back-to-school bonus is being spent? Are Islanders yet in receipt of such payments and, if not, when will they be?

### **Deputy L.V. Feltham:**

The back-to-school bonus is what it says on the tin. It is a back-to-school bonus for the beginning of an academic year, so work is being undertaken to give the payment either shortly before or around the beginning of the next academic year.

#### **7.3.1 Deputy L.K.F. Stephenson:**

Will the Minister give consideration to including sports bras for P.E. (physical education) and sport in a list of uniform that could be funded as part of it, given that ill-fitting bras or lack of sports bras altogether can lead to discomfort, self-consciousness and even reduced participation in physical activity?

### **Deputy L.V. Feltham:**

I think it is the intention that it will be a cash payment and parents will be able to choose what they decide to purchase with that cash. I do not think that the Government should be telling people how to spend specific money that we give.

## **7.4 Deputy D.J. Warr of St. Helier South:**

I just want to follow up with the previous question in connection with the site. Given that the Le Feuvre site and Huguenot House are currently on the market, surely it is a matter of urgency that the Minister talks to the Minister for Infrastructure while this opportunity is available. Can she confirm that that is high on her priority list and that she has had a conversation? If she has not, why not?

### **The Deputy Bailiff:**

I will allow it once in this case.

### **Deputy L.V. Feltham:**

I talk to the Minister for Infrastructure very regularly. He is very aware of my opinion on this subject, which I have made in writing to him as well as verbally.

**The Deputy Bailiff:**

There will not be a supplementary.

**7.5 Deputy H.M. Miles of St. Brelade:**

Will the Minister update the Assembly on the work that is being done to allow adult children with disabilities who reside with their parents to access the rental component of income support?

**Deputy L.V. Feltham:**

The Deputy a few months ago did attend a meeting of the Disability and Inclusion Advisory Group. The Advisory Group has met since that meeting and received a report from an officer in my department. The group gave very good feedback to the information contained in that report and we have instructed the officer to go away and do some work based on that feedback.

**7.5.1 Deputy H.M. Miles:**

I thank the Minister for the answer and that sounds very positive. Does the Minister have a timeline for completion of this piece of work, please?

**Deputy L.V. Feltham:**

My understanding is that in order to complete the piece of work and implement it, it would require a growth bid. The timeline was to have a piece of work completed so that the incoming Minister would have all of the information required ahead of any future budget discussions of the next Government.

**7.6 Deputy J. Renouf of St. Brleade:**

Returning to the C. and A.G. (Comptroller and Auditor General) report on the H.I.F., the report was critical of the Government for not establishing any mechanism to ensure that the increased grant to G.P. (general practice) surgeries went fully towards reducing fees. The C. and A.G. found many cases where fees subsequently were increased over and above what could be explained by inflation, eating up the benefit to the patient. Why did she not put in place mechanisms to monitor and, if necessary, ensure that the benefit was fully reflected in reduced fees, given that she did make reference to the possibility of such?

**Deputy L.V. Feltham:**

I believe that it was the previous Minister for Social Security who made reference to such a mechanism. It is of some frustration to me that the contract with G.P.s is as it is in relation to that general funding for G.P.s. When it comes to things like the way that the free G.P.s for children is implemented and also the Health Access Scheme that gives people a much clearer understanding of what they are going to pay when they go to their G.P., I think some good work was done by the previous Minister for Social Security in terms of ensuring that there is more transparency in relation to any supplementary costs that G.P.s are charging. I have worked with my team to ensure that people know more that that transparency is there and encourage people to look on the gov.je site when making the decision around which G.P. they are going to go to. I have also asked the communications team to do some work on how we can communicate better the value of the benefits that people are receiving when they go to the G.P. or pharmacy so that they know the full cost of a G.P. visit.

**7.6.1 Deputy J. Renouf:**

Can I just ask the very specific question: what work did the Minister do to try to put in place or to examine the possibility of putting in place a mechanism to ensure that these reductions were passed on? What work was undertaken within her department to see whether that was possible?

**Deputy L.V. Feltham:**

We are working within the constraints of an existing contract. Changing such contracts does take an incredible amount of work. My team are currently focusing on contracting with community pharmacists at the moment. We can only do so much at one time. The important thing for us when we put together the Common Strategic Policy, and this Assembly voted for it, is that we got that financial support and help to reduce the cost of G.P. visits and gave that subsidy. We also ask that the G.P.s are very clear about additional costs that they charge and, of course, people have the option to change their G.P. if they feel that their G.P. is overcharging.

[11:15]

#### **7.7 Deputy K.M. Wilson of St. Clement:**

Could the Minister explain what assessment the department has made of the current benefit rates and the adequacy of the cost-of-living increases? Does she have a timetable for uprating these benefits?

#### **Deputy L.V. Feltham:**

Of course benefits are uprated on an annual basis. I have spoken at length, I think, both in Scrutiny and in answers to questions in this Chamber, about my support for the work being done on minimum income standards. That is being led by the Cost of Living Ministerial Group, which is chaired by the Minister for Sustainable Economic Development and he is taking the lead on that project. I am pleased to say that that project is under way and the report will be ready for the incoming Minister and incoming Government. I would hope that that will inform the information on the adequacy of how our benefit system works with our minimum wage and then how we can support people with the cost of living more effectively.

#### **7.7.1 Deputy K.M. Wilson:**

Could the Minister confirm whether the current rates meet or exceed the latest published relative low income thresholds after housing costs? If not, why not? Could she also detail by what percentage she thinks they fall short?

#### **Deputy L.V. Feltham:**

Off the top of my head - I do not want to make a mathematical error - but my recollection is that when I made the decision, the decision was to raise them by more than the percentage at the time, but I would like to come back to the Deputy in writing.

#### **7.8 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:**

Given that the rental component of income support is generally restricted to those aged over 25, will the Minister advise whether she intends to review this policy in light of the recent changes to social housing eligibility criteria down to 18 and whether she accepts that the current threshold may now create unintended gaps in the support for younger adults?

#### **Deputy L.V. Feltham:**

I am always happy to look at specific cases as they come to me as Minister. I do have Ministerial discretion and I have used that for some cases, as the Deputy will be aware. For a more blanket change I would need to assess what the effect on the budget would be and whether that would indeed need a growth bid within a future Government Plan. That is something that I do not feel that I could act on within my current term of office

#### **7.8.1 Deputy H.L. Jeune:**

I thank the Minister for her answer. I would like to request that the Minister does look into this potential unintended consequence of the fact that there is this gap in the support for younger adults, which could unintentionally create a larger increase in those seeking housing through homeless

shelters rather than being through the Housing Gateway properly. Could the Minister speak to the homelessness charities further to understand what is going on?

**Deputy L.V. Feltham:**

I already do speak to those specific charities. Where there are cases of young people at risk of homelessness, that would be exactly the case that I would consider on a discretionary basis and indeed use my Ministerial discretion around income support.

**The Deputy Bailiff:**

That concludes time for questions for the Minister for Social Security, so we move on to questions without notice for the Chief Minister.

## **8. Questions to Ministers without notice - The Chief Minister**

### **8.1 Deputy R.S. Kovacs of St. Saviour:**

Instead of asking further questions of the Minister for Health and Social Services, I will pose those questions to the Chief Minister. The Minister for Health and Social Services has indicated that he is not clear whether proposals for a means test for off-Island travel for treatment and potentially charging patients for this will come into effect this term but it may be possible. Can the Chief Minister reassure the public that existing referrals and travel arrangements will be honoured and that urgent treatment requiring rapid travel will not be delayed or jeopardised by any financial assessments or cost requirements?

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

I wonder if it would be in order just to quickly welcome you to the Assembly in your first official sitting.

**The Deputy Bailiff:**

Thank you, Chief Minister.

**Deputy L.J. Farnham:**

I hope it has not been too painful thus far. Thank you to the Deputy for her question. The consultation is still ongoing about what future health charges may look like. I think it is unlikely that any new charges will come in in this term and I would almost certainly reassure Members that it is unlikely to be retrospective in any form. It would start from some time in the future.

#### **8.1.1 Deputy R.S. Kovacs:**

Can the Chief Minister also confirm that before any health policy changes are introduced in this direction, Islanders, particularly the vulnerable and the lower income ones, will continue to have full access to necessary off-Island treatment and also that life-threatening cases will always receive immediate support including travel costs without cost barriers?

**Deputy L.J. Farnham:**

I believe so. I am speaking in alignment with the Health Ministerial team. The aim of this is to protect the most vulnerable and less well-off in society against the rampant health inflation that is going on at the moment. The proposed charges are aimed at those people on the highest income levels. I am not saying that I agree or disagree with it at the moment. It is an idea that is being considered by the team and ultimately a decision will be made by the Council of Ministers or the Assembly in due course.

### **8.2 Connétable K.C. Lewis of St. Saviour:**

An old chestnut for the Chief Minister. In the interests of openness and transparency, I have often advocated the reintroduction of transmission of the States Assembly on the wireless. The Chief

Minister was going to look into this. Would the Chief Minister inform the Assembly of any progress regarding the restarting of this service?

**Deputy L.J. Farnham:**

Can the Constable remind me of what a wireless is again? It is like a gramophone. I get it now. **[Laughter]** I have no doubt that less people will listen to the Assembly in the absence of wireless transmission and I would be very pleased to see it come back, not that it will bring droves of people but it, of course, makes the workings and the machinations of this Assembly more accessible. I would support that.

### **8.2.1 The Connétable of St. Saviour:**

As the Chief Minister is aware, I ran the Jersey Film Festival for many years - 24 years - in Howard Davis Park. I would be willing to donate some of my equipment, which is FM - that is frequency modulation - transmitters to the States should they wish to put it on top of Fort Regent and broadcast the States sitting to the Island. Would the Chief Minister be interested?

**Deputy L.J. Farnham:**

I think it would be absolutely marvellous, but I am not sure whether it would be practical during the workings of Fort Regent. Perhaps we can readdress that at some stage in the future, but I do appreciate the offer.

### **8.3 Deputy J. Renouf of St. Brelade:**

Returning to the proposed charges of the Minister for Health and Social Services, I would just point out that he mentioned the consultation being ongoing but the Minister confirmed that there is no consultation ongoing or planned. Can I ask the question: has the Council of Ministers discussed the proposed charges of the Minister for Health and Social Services for health services and have they been agreed with the Minister?

**Deputy L.J. Farnham:**

The Council of Ministers has discussed the potential for health charges in the past, usually in the run-up to the Budget. There are mixed views. Many Ministers believe that all health should be free at the point of delivery but we also recognise there are financial challenges. I do not think the Minister for Health and Social Services is planning to implement anything soon without further consultation. I believe there is some consultation with the most relevant stakeholders going on. Ultimately I believe that further charges should be a matter for the Assembly and I would think that is the direction in which this Minister for Health and Social Services or any future one would like to move in.

#### **8.3.1 Deputy J. Renouf:**

I suggest that the most relevant stakeholders might be the patients who would be most affected by this. I would also point out that the proposed changes are coming in by order and that is not necessarily, therefore, coming to the Assembly or will not unless there is an actual conscious decision. Can he say that it is acceptable to be proposing measures that will impact significant numbers of vulnerable Islanders without any idea of how much money will be saved, of which the Minister said he did not have any idea, and without even a cost-benefit analysis, which the Minister also said he had not done?

**Deputy L.J. Farnham:**

The Minister also said that he is working on that and before any decisions will collate and carefully consider all of the relevant information.

### **8.4 Deputy D.J. Warr of St. Helier South:**

I got an answer to a Written Question in connection with the cost of business licences and extending a business licence, a 3-year licence. For a small business, I do not know if the Chief Minister is aware, it is a £350 fee for the business and it is an £850 fee for a visa extension for an employee. That equates to £1,235. Clearly that is a barrier to business. It is a cost to business. The response by the department of the Minister for Justice and Home Affairs was basically: "Think yourself lucky. It is much more expensive in other jurisdictions." Is that how we operate in Jersey?

**Deputy L.J. Farnham:**

No, it is not, and I am sure that the Deputy is taking the comments of the Minister for Justice and Home Affairs out of context. I do not believe she would have said that. Having said that, we are mindful of the cost of doing business. I understand that we operate on a cost recovery basis. We aim fees at what it costs to deliver the service and not to make a profit or a surplus on its own, of course. I do not have the detail of what the costs are for those permits internally but I recognise the challenges faced by business and this Government are doing everything they can to curtail those costs where they can.

**8.4.1 Deputy D.J. Warr:**

Is this not, in reality, a tax on business?

**Deputy L.J. Farnham:**

No, it is not a tax on business. It is a cost recovery for providing a service which enables businesses to bring staff in on permits.

**8.5 Deputy I. Gardiner of St. Helier North:**

In light of the lodging of the Draft Water Law (Jersey) Amendment Regulations, which propose the new regulatory limits for P.F.A.S., with which I personally agree, in drinking water to be achieved within 5 years, will the Chief Minister advise what cross-government discussions took place prior to the lodging this proposition?

**Deputy L.J. Farnham:**

The matter was discussed at the Council of Ministers shortly after it was lodged. Those discussions are ongoing. The Minister is about to publish a response to the findings of the panel and further discussions will be held around the Council of Ministers' table. The Minister accepts in principle, subject to further discussion, in his response, the findings of the committee and we will continue to work closely and collaboratively with the committee to continue to lower P.F.A.S. levels in our water which, as the Minister for Treasury and Resources said earlier, are already at a very good standard.

**8.5.1 Deputy I. Gardiner:**

Just to mention the level of P.F.A.S. in our water, I think the Scientific Advisory Panel was very clear that we need to get to the 4 nanograms and this is the reason that the regulations were lodged. Just to confirm that there was no discussion within the Council of Ministers prior to the lodging of the regulations and that no discussion about financial implications and modelling was taking place?

**Deputy L.J. Farnham:**

Certainly the Minister for the Environment discussed it with me and then we brought it to the Council of Ministers pretty much straight after. It is within the remit of the Minister to bring amendments, to withdraw, defer or progress, but these are regulations, and they are regulations which set out an aim for a level and a timeline for achieving that level which any Minister in the future, or Assembly, could amend.

**8.6 Deputy J. Renouf of St. Brelade:**

With regard to funding healthcare but looking at the other side of the equation, can the Minister say whether the Government is working on any plans to extend private health insurance to Islanders and, if so, have any discussions been held with any insurance providers?

**Deputy L.J. Farnham:**

Yes, there have been discussions over the past 18 months, I believe, and I think that some discussions and costings have been obtained from private health insurers about having a government private health scheme. No decisions have been made on that yet but I believe that could be part of the mix of further discussions.

**8.6.1 Deputy J. Renouf:**

Given that will be news to most Islanders, is the Chief Minister able to provide any further details on what that kind of coverage might look like, who it would be intending to cover, whether it would involve incentives and so on?

**Deputy L.J. Farnham:**

No, because it is simply an idea as part of our work to consider all options to improve healthcare; to improve funding for the healthcare.

[11:30]

There have been very high-level discussions. It might not go any further than that but I think it is a duty of Government to explore all the options, and that is what we have been trying to do. The Minister for Health and Social Services is leading the work on health funding, is doing a thorough job and will bring forward his recommendations and proposals in due course.

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

Following comments made from the Cabinet Office, or a part of the Cabinet Office, in recent days about the revised plans at Strive in St. Peter, would the Chief Minister set out what the Government's position is on the proposals; do they support them?

**Deputy L.J. Farnham:**

What was reported as the Cabinet Office by the *J.E.P.* is the official level advice of professional planners who develop the Island Plan on behalf of the Minister for the Environment. It is a 5-page response that neither objects nor supports the bid; it simply provides detailed advice to the decision-makers - in this instance the Planning Committee - on whether the bid is aligned with the Island Plan as set out in the relevant Island Plan Policy. The *J.E.P.* got its information from one of 6 consultations for statutory responses by government departments, which are required in all major planning applications. Of those, 2 supported, one objected and 3 neither objected nor supported. For the avoidance of doubt, my position is that I am supportive. I quote myself, if I may, from a previous comment: "Without compromising the economic viability, I very much hope a good compromise can be made so that the project can go ahead, albeit in a slightly reduced format" and that remains to be the case.

**8.8 Deputy K.M. Wilson of St. Clement:**

Going back to the health charges, Chief Minister. Would the Chief Minister give an undertaking to present the working assumptions that are informing the options so that we can see the detail of how these options are being formulated in the interest of improving transparency?

**Deputy L.J. Farnham:**

I am sure the Minister for Health and Social Services would agree to do that. He is not in so, yes.

**8.9 Deputy I. Gardiner of St. Helier North:**

Would the Chief Minister indicate if we will see spades in the ground for the Overdale Hospital within this term of office?

**Deputy L.J. Farnham:**

I think we have had spades in the ground. There is a hospital-shaped hole that has appeared and it is ready to start being filled in, I hope. I understand progression is being made with the preferred bidder; I am expecting an update in due course. The Ministerial team and the Minister for Health and Social Services, I believe, is on top of that and will update the Assembly as soon as possible. It is absolutely imperative we get started as soon as possible. We all know that, the Minister knows that, and that is what they are working to do.

**8.9.1 Deputy I. Gardiner:**

Is the Minister assured that the contractor will be appointed and construction will start?

**Deputy L.J. Farnham:**

Well I very much hope so. I absolutely hope it is but in the final throes of negotiations, it is not helpful to give too much information away at this stage. We will leave that to the Minister for Health and Social Services and his team to finalise.

**The Deputy Bailiff:**

Deputy Renouf, you have got time ... no? Right. In that case, unless there are any further questions, that concludes questions without notice for the Chief Minister. There are no Personal Statements, so we move on to Statements on a Matter of Official Responsibility. There are 5 statements and the first is from the chair of the Parishes and Government Review Panel. Deputy Miles, I believe you will make a statement regarding the Parishes and Government review.

## **STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

### **9. The Chair of the Parishes and Government Review Panel will make a statement regarding the relationship between the Parishes and the Government of Jersey**

#### **9.1 Deputy H.M. Miles of St. Brelade (Chair, Parishes and Government Review Panel):**

I am grateful for the opportunity to make a statement following the publication of this important report. The panel was tasked with examining the relationship between the civic functions and services delivered by the Parishes and those delivered by Government. We considered how collaboration currently operates, how Island-wide strategies are implemented through the Parish network, how administrative and regulatory functions are exercised, and how the rates system functions in practice. At the outset, I want to be clear about both our approach and our conclusion. The Parish system remains a distinctive and valued part of Jersey's civic and constitutional framework and the evidence consistently demonstrated those strengths: deep local knowledge, continuity, and a strong community ethos delivering tangible benefit to Islanders. However, our central conclusion is equally clear. If the Parish system is to remain trusted, resilient and effective in a modern Jersey, it must adapt. The foundations are historic and robust but many of the processes, governance arrangements and legislative frameworks have not kept pace with modern expectations of transparency, accessibility, consistency and accountability. Modernisation is not centralisation. It is not the erosion of Parish autonomy. It is about safeguarding the system for the future by ensuring that it operates to contemporary standards and continues to command public confidence. In examining the relationship between Parish functions and Government administration, we found it generally constructive but largely informal. Too often it depends on personal relationships and goodwill rather than structured mechanisms. While that flexibility can work, it also creates inconsistency and limits co-ordinated delivery of Island-wide priorities. Service delivery remains a core strength of the Parish system. Many Parish-led services are well regarded and embedded within their communities. However, we identified significant variation in capacity, funding and long-term

sustainability across Parishes. We also found fragmentation and duplication in certain areas, particularly in refuse and recycling arrangements, despite Jersey's small geographic size. In relation to play provision, we observed marked variation in scale, quality and forward planning. That variation creates a risk of geographic inequality in access to high-quality and inclusive facilities. With regard to honorary policing, the system delivers substantial public value and cost efficiency. But it faces recruitment, training and funding pressures that raise legitimate questions about its long-term sustainability and Island-wide resilience. The panel also examined how Government engages with Parishes in delivering Island-wide strategies, including priorities relating to children and young people, environmental sustainability, community safety and preventative health. Parishes are well placed to support delivery of these priorities. However, engagement is variable and frequently informal. This limits the ability to embed co-ordinated delivery through the Parish network, particularly given demographic differences and capacity variation. We therefore recommend more structured and consistent engagement between Government and the Parishes, through the Comité des Connétables, when developing and implementing Island-wide strategies, while fully respecting local democratic decision making. In several administrative and regulatory areas, including roads, parks, beaches, and firearms certification, we found the key arrangements rely on guidance that is non-statutory, not consistently applied, and not supported by clear assurance mechanisms and in a modern regulatory context, this creates risks of inconsistency and weak accountability. The report therefore proposes some staged reform: strengthening governance and consistency in the near term, and considering longer-term structural reform where evidence indicates the current model is no longer optimally aligned with modern expectations. Turning to the rates system, we found that public understanding is low. There is widespread confusion about terminology, responsibilities, what rates fund and how assessments are determined. Differences in accounting practices and limited comparability between Parish accounts further undermine transparency and public confidence. Our recommendations focus on improving public understanding, strengthening comparability and establishing a proportionate baseline framework for Parish accounts without mandating centralisation or undermining Parish autonomy. This report is published at the end of the current Assembly term and ahead of the 2026 elections. The issues identified are structural and long term. Most recommendations are not capable of immediate implementation. They are intended to inform prioritisation and reform in the next Assembly term. In closing, I want to reiterate the panel's core position. Jersey's Parish system remains vital to Island life but to remain strong, it should evolve. Modernisation is not about losing what is distinctive. It is about protecting it, strengthening public confidence, and ensuring the Parish system remains trusted, resilient and effective for future generations. Thank you. **[Approbation]**

### **The Deputy Bailiff:**

We have a period of up to 15 minutes, or subject to a possible extension, for Members to ask questions of the chair of the panel. The first light I see on is Deputy Mézec.

#### **9.1.1 Deputy S.Y. Mézec of St. Helier South:**

Can I thank the chair and the panel for their work on this. It was a very worthwhile subject looking into and I appreciate their report. Could I ask the chair what consideration the panel gave to in their work and what evidence they may have heard about the special case of St. Helier - as the capital of our Island and in many respects practically a city, it being very different to the other Parishes - as to what extent, when it comes to the structure for municipal administration, there could be a case made that St. Helier should have some divergence in that to take into account it is a different place in the Island?

#### **Deputy H.M. Miles:**

I thank the Minister for his question. Of course we noticed that St. Helier is an entirely different case; the population is larger, but also the structure behind the Parish system is very different. They

are one of the few Parishes that have a C.E.O. (chief executive officer) and a governance structure underneath it. In terms of future recommendations, I think we identified the Parish of St. Helier as a potential partner for other Parishes. Indeed, I believe St. Helier has already partnered with the Parish of St. John to deliver some of their services around gardening. They also have more clarity, I think, around Parish accounts and just in general have, what I would say, a greater online presence and a greater focus on communication with parishioners.

#### **9.1.2 Deputy S.Y. Mézec:**

I thank the chair for her answer. The chair will, I think, probably be aware that there is some desire from some in St. Helier to restructure the democratic structure of how St. Helier is governed, including moving towards a council system. Was this something that the panel considered, and is it something that the chair thinks would be an important way of strengthening public confidence and engagement in the Parish life in St. Helier, even if that would mean diverging from how other Parishes do it?

#### **Deputy H.M. Miles:**

I thank the Minister for his question. The panel did not consider the issue of the development of a *conseil municipal* for St. Helier. The terms of reference were clearly about the relationship between the Parishes and the Government. As a long-term student of the Parish system, the development of a *conseil municipal* in St. Helier I think would need significant research and significant thinking about due to the impact that it may well have on the structure of other Parishes.

#### **9.1.3 Deputy R.S. Kovacs of St. Saviour:**

Given the panel's conclusions on the need for modernisation and more structured engagement, what do you see as the most urgent issues that Government and Parishes should address first?

#### **Deputy H.M. Miles:**

I thank the Deputy for the question. I think we have made it quite clear in the report that probably the most urgent issue for the Parishes is the revision of the 1804 law about Parish Assemblies. Over 200 years old, it is written in French, it constrains the form, function, role and responsibility of the Parish Assembly. There is a very good report that was lodged by the States earlier last year by former advocate Steven Pallot that makes recommendations along those lines. Certainly, if the panel had a principal recommendation it would be that the Comité des Connétables bring forward that reform because what it does is it certainly aids with the openness and transparency and encourages better engagement with Parishioners.

#### **9.1.4 Deputy R.S. Kovacs:**

Yes, I agree with the response. Based on the review as well, which areas of the Parish services or governance do you think pose the greatest risk to public confidence or Island-wide consistency if no action is taken?

#### **Deputy H.M. Miles:**

I think what has been quite clear to us is the issue of the rates. We spoke to a lot of people about the rates system. Indeed, we lodged a survey; we had 3,500 responses. What we discovered was the public had very little understanding of the rates system. They could not understand the terminology around the rates. They could not understand how their rates were assessed. They could not understand the difference across Parishes. One of the recommendations we have made is that Government have a look at the 2005 Rates Law, have a review to consider whether that is fit for purpose and what changes need to be made.

[11:45]

We have also made the recommendation that the Parishes themselves try to communicate maybe more fully with their parishioners. What we have noticed since we commenced the review is that there is an information document about the assessment of rates that has been put on to the Parishes' websites. Also, certainly in my own Parish, I know the Connétable has taken the time to bring the chair of the Rates Committee to Parish Assemblies in order that they can outline their role. So I think there is a dual role, one for Government and one for Parishes, there to really improve the understanding of the rates system.

#### **9.1.5 Deputy I. Gardiner of St. Helier North:**

First of all, I would like to ask the chair if they considered how, for example, the Island-wide strategy, play strategy, can be led by the Parish and if St. Helier, based on their dense population requirement for the play areas, can co-ordinate or can work with the Government on this in a more central way?

#### **Deputy H.M. Miles:**

Once again, we did not single out one particular Parish because obviously play is important to all children in all Parishes. I think certainly what the review panel were not doing were suggesting that a particular Parish took a lead on a particular area. I am looking at the Connétable of St. Martin sat opposite me, a shining example of how to deliver play in the community, so I would not suggest that St. Helier would be best placed to deliver play. I think it is a responsibility for all the Connétables who have responsibility for children across the Island.

#### **9.1.6 Deputy I. Gardiner:**

I do believe that all Connétables have responsibility across the Island. In St. Helier with the amount of parks and play, everyone comes to St. Helier I think using these parks a lot. Given the St. Helier central role in delivering Island-wide economic and social function as a centre, did the panel consider where a formalised engagement mechanism between Government and St. Helier should be strengthened or differentiated?

#### **Deputy H.M. Miles:**

I think I refer to my previous answer. A lot of the arrangements between the Parishes and Government tend to be informal. Some Parishes have service level agreements, some may have memorandums of understanding. I think one of the key recommendations is the relationship between the Parishes and the Government does need to be strengthened in some way and made slightly more formal than it is at the moment.

#### **9.1.7 Connétable M.K. Jackson of St. Brelade:**

First, as chair of the Comité, I thank the chair and her panel for taking the initiative to conduct this review. **[Approbation]** There is always an opportunity for evolution. I think the Parishes have to evolve in the same way as Government has. One, I think, note of warning I would ask the chair to respond to - and I have looked at the various recommendations and we will discuss those collectively as a Comité next week and respond - is that one of the risks I see is that recommendations introduce an element of treacle into the process and where we are trying to seek simpler government, is that the right move? Would the chair agree?

#### **Deputy H.M. Miles:**

I thank the chair for his question. Throughout my academic, professional, and so far relatively short political career, I have been consistently a strong supporter of the Parish system and a believer in the benefits of honorary service, the defender of Jersey's heritage and traditions. There was no way that any of these recommendations were intended to confound a process or introduce treacle in those words. The Parish system is really important and everything that we have put into this report is intended to be constructive. We made clear right at the beginning that this was an appreciative

inquiry and we wanted to demonstrate the strengths of the Parish system but make recommendations about how elements of the Parish system could be improved to deliver a better service to Islanders.

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

I thank the chair and her panel for their report. It strikes me that the report is very much founded on the benefits of the Parish system but, from the critical friend perspective, seeks to look at how modernisation may help the system itself. I would like to ask the chair whether she believes that a failure to modernise in many of the ways that the report has suggested could lead to the downfall of the Parish system as opposed to if it was not modernised? Or the other way, does she think it can continue as a strong Parish system if modernisation does not take place?

**Deputy H.M. Miles:**

I thank the Minister for his question. My answer would be: how long have you got? I think to suggest that not modernising the Parish system would result in its downfall is absolutely not the case. The Parish has been with us for 800 years and, as I have consistently said, plays an absolutely vital and crucial role to our community. Tradition and adaptability can be a powerful combination and to not change and not do anything risks undermining those 800 years of a solid Parish system. That is why the recommendations that we have crafted are very careful, they are very thoughtful, they are intended to be done in slow time. I hark back to my days when I was studying the Parish Hall Inquiry system when we had a very significant Professor Andrew Rutherford who basically said the Parish Hall Inquiry system is withering on the vine. Certainly, one of the drivers I think for this report is to make sure that the Parish system does not wither on the vine. I think it is appropriate from time to time for people to have a look at where we are now, what can be improved, and to agree some consensus about moving forward in order to protect what are vital elements of our identity and our Island.

**9.1.9 Deputy K.F. Morel:**

I believe - I am happy to be corrected - that the main 2 pieces of legislation underpinning the Parish system were created in 1804 and subsequently in 1905 which strikes me that it suggests there is a once-in-a-century appetite for modernisation. I was wondering if the chair would confirm or otherwise whether she believes that this report signals the starting gun on our once-in-a-century opportunity to modernise the Parish system?

**Deputy H.M. Miles:**

I thank the Minister for his question. Certainly, the 1805 and the 1914 *Loi sur la Voirie*, but nonetheless it is still over 100 years old. What I would say is many other laws have been brought forward that affect the Parish system; I can think about the policing laws, for example. The Parish has not stood still in that respect and I think Government have always ensured to take the Parishes into consideration when developing law. The law on criminal procedure, for example, respected the role of Centeniers in the Magistrate's Court. The Parish has not stood still. We are not still in 1804 but that 1804 law, which is the one that governs the heart of the Parish system, which is the Parish Assembly, is really the one that needs to be focused on, get it into the English language, and make some of those changes as recommended by the good advocate.

**The Deputy Bailiff:**

Deputy Doublet, I had you down to speak next. Is there a défaut that needs to be raised before you speak or ... that has been raised. I am grateful.

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

Yes, Deputy Gardiner kindly raised ...

**The Deputy Bailiff:**

Thank you, yes.

**9.1.10 Deputy L.M.C. Doublet:**

My question is a follow up to Deputy Gardiner's question around play provision. Did the panel consider funding of play facilities in the Parishes? I did look in the report and I could not find any recommendations targeted at perhaps central Government providing some targeted funding to the Parishes, given that families travel to all different Parishes to use play facilities.

**Deputy H.M. Miles:**

No, we considered that to be outside of the terms of reference. The thing that we concentrated on was how the Parishes can be used to deliver the strategic objectives of the Government.

**9.1.11 Deputy L.M.C. Doublet:**

I thank the chair for her answer. A further question on play to follow up on that one; one of the recommendations is to look at shared use of school facilities. I have seen this work really well in practice in my Parish with a project that I supported. How does the chair see this working and how strongly does the panel feel about this? I personally feel that it is something that should really be considered. How would it work?

**Deputy H.M. Miles:**

I think the issue about using shared school facilities in particular is an issue for the Minister for Education and Lifelong Learning. Certainly, the recommendation is that the Minister for Education and Lifelong Learning should liaise with the Comité des Connétables about the use of appropriate Parish facilities and how that can be facilitated.

**The Deputy Bailiff:**

That brings the 15-minute period to an end but I have many other Members wishing to ask questions. Are Members content to extend the period by another 15 minutes? Yes. In that case, I would ask Deputy Mézec to ask a question.

**9.1.12 Deputy S.Y. Mézec:**

There has been some talk of the 1804 law on Parish Assemblies and there was a recommendation looking to replace that law. Could I ask the chair whether it is envisaged that a new law would alter in any way the current right that parishioners have now to mandate Constables to hold Parish Assemblies through a *requête*. Is that something that they concluded ought to be maintained in any future change to that law?

**Deputy H.M. Miles:**

I did not write the report, that was Advocate Pallot, but it is my recollection that the use of a *requête* is one that has not been included for removal, so it should still be there. In particular, through the new law, we are talking about notice requirements, accessibility standards, the lack of quorum rules and the absence of remote participation. Those were the key focus that really need to be sorted out but I do not think there was any - and I stand to be corrected - move to take the *requête* out.

**9.1.13 Deputy S.Y. Mézec:**

I am pleased to hear that; I think it is a really important part of our local and direct democracy that that is preserved. Following on from what the chair has just said in her answer there about expanding ways that people can engage with that, did they have any thoughts as to how participating in votes at Parish Assemblies might be made more accessible and whether there is any case, in fact, for Parishes to be able to choose to hold a full ballot, not just at a meeting, but maybe like a kind of mini referendum-style way of asking parishioners to come in and vote on motions affecting Parish resolutions?

**Deputy H.M. Miles:**

We did not specifically look at a full ballot of the Parish. We did discuss with the chair of the Comité at the hearing about the ability for parishioners to access online and to remote voting. I think that the chair of the Comité said that they would potentially be looking at the States Greffe for support with those sorts of initiatives.

**9.1.14 Deputy J. Renouf of St. Brelade:**

Just reflecting on Deputy Morel's comments, how lucky are we to be the once-in-a-200-year generation to have the opportunity to change that law? The question I have relates to a point the chair raised in her statement which is to do with refuse and recycling. The situation is that we have, as she noted, a patchwork quilt of options. How does she feel the matter should be resolved in terms of the relationship between the Parishes and central Government in trying to gain some progress in terms of recycling, particularly, but also in terms of perhaps standardisation and cost effectiveness?

**Deputy H.M. Miles:**

The panel noted the issue of refuse and recycling as one of the particular knotty issues because each of the 12 Parishes are doing something slightly different. I think it comes into the recommendations that we made around the use of the Parish in delivering Government strategic objectives. The other element that we have suggested is that the Comité des Connétables become more of a statutory body, which means that they then would be able to enter into contracts jointly with other bodies. We have some movement already in that the Parish of St. John, for example, the Parish of St. Helier are taking over their collection of refuse and recycling. We know that we are quite behind in terms of levels of recycling.

[12:00]

I think there is a piece of work between the Government and the Parishes to understand why that is the case and to see what the Parishes can do to increase that level, thereby saving us funds in the future.

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

I thank the Deputy for the report; the review. Recommendation 23 in 2 stages about firearms, the second stage talks about a longer-term review as to whether to centralise firearms certification, which I think is very interesting. The first part of that, if I may find it to get the words right, talks about immediate governance improvements and the accountability of firearms certification. Can I ask the chair of the panel, what level of risk did the panel consider this to be for the Island? Was there any consultation with the Island risk register as to where this might be for the future and where we are now?

**Deputy H.M. Miles:**

It was not for the panel to assess the risk of the current system, it was for the panel to make recommendations about how the current system could be reviewed in order to ensure that any potential risk or threat was managed in an appropriate way. We received detailed submissions from the States of Jersey Police, both in writing and verbally about those risks.

**9.1.16 Deputy R.J. Ward:**

I do see that. It says "through immediate governance improvements". Does the chair have any idea what type of governance improvements that could entail, to get some sort of idea of what those things might be for the Comité?

**Deputy H.M. Miles:**

The one thing I am thinking in particular is that the Comité des Connétables issued guidance in January 2026 about the keeping of ammunition at home. That had been something that a member of my panel, Connétable Honeycombe, had been working on with the States of Jersey Police. It was

published in January, so that would constitute the immediate governance improvements that were envisaged.

**9.1.17 Deputy M.R. Ferey of St. Saviour:**

I thank the chair for her report and her statement. My question is also on firearms certification. Does the chair believe that the Connétables are best placed to understand their parishioners and perhaps their desire to bear arms in safe environments and enjoy sport shooting, say?

**Deputy H.M. Miles:**

I think my personal views in this matter are not really relevant. The panel, as I have said before, was looking at the systems that are in place. Certainly, stage 2 of the recommendation is that there should be a comprehensive review and reform of the firearm certification system with the aim of strengthening oversight, standardising decision-making. Certainly, as we have heard from the Minister for Justice and Home Affairs, there is a recommendation that the next Minister should undertake a review of firearms legislation.

**9.1.18 Deputy M.R. Ferey:**

Part of the rationale for that was that guidance was not consistently applied, according to the report. Does the chair have some examples of where guidance was not consistently applied?

**Deputy H.M. Miles:**

The issue with guidance is it is just that. When we are dealing with firearms and ammunition, I think certainly the States of Jersey Police feel that there should be firmer rules and regulations around that so that you have a consistent application. At the moment different shooters in different Parishes might be subject to different standards on their firearms.

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

I just want to use the acronym S.W.O.T. (Strengths, Weaknesses, Opportunities and Threats). You have clearly identified weaknesses, inconsistencies, you have clearly identified threat, the threat of doing nothing. What would you say is the top strength of the Parish system and, as a result of that, how that can be converted into an opportunity?

**Deputy H.M. Miles:**

I certainly would not have started with weakness. This is an appreciative inquiry and it focuses on the strengths. The Jersey Parishes sit at the heart of community life. They have been with us for - I talked about 800 years - well over 1,000 years. They deliver essential local services, they provide democratic participation at grassroots level, and they reflect centuries of Island tradition and our identity. Those are the strengths that are highly valued and those are the things that need to be protected. This report is about making sure that future decisions are made that nurture and protect the Parish system so that those decisions are evidence led and data driven. That is why we have taken such care with this report to include the information that we have so that there can be no doubt that future decisions will be taken on evidence.

**9.1.20 Connétable D.W. Mezbourian of St. Lawrence:**

I thank the chair and her panel for producing this extremely interesting and, I believe, relevant document because I wholeheartedly support anything that will promote the continuation of our Parish system. My question, though, to the chair is: did the panel give any consideration at all to the potential cost to the Parishes of introducing the recommendations that have been made within the report?

**Deputy H.M. Miles:**

The terms of reference were not to cost the recommendations. But what I would say, throughout the report - and I am going to use honorary policing as a particular example - we have said that the Government need to recognise that the Parishes are delivering significant services that would otherwise be provided by Government in other jurisdictions and it now might be the time to start supporting the Parishes. I mention honorary policing specifically because we know recruitment is difficult, we know training has to be paid for, but our honorary police force provide a vital support to our States of Jersey Police force. **[Approbation]** Also they save a considerable amount of money. So you will see recommendations in the report that the Honorary Police, for example, have first dibs, if that is the word, on the Criminal Offences Compensation Fund to make sure that Parishes and ratepayers are not burdened - and it is becoming a burden because some of those expenses are very great - and that the Government acknowledge where Parishes need to be supported, be that financially or in other ways to maintain.

#### **9.1.21 The Connétable of St. Lawrence:**

I think my supplementary has almost been answered but I do want to ask it. Of course, the chair referred to the Rates Assembly in her statement. The Rates Assembly is when parishioners decide upon the spending for the next financial year; however, they can decide to strike a request out by the Connétable at that Assembly. So really if in due course, when the recommendations have been considered, have been decided upon, agreed upon and costed and are taken to a Parish Assembly, they could be struck out by that Assembly. That is the grassroots democracy of the Parish system. I think I would just like a one-word answer from the chair, does she believe, and would she support then funding towards implementing those recommendations from central Government?

#### **Deputy H.M. Miles:**

I think I have answered that in my previous answer. I think there are areas that central Government should be supporting the Parishes to deliver. Following up on the issue of the Rates Assembly, I totally agree. But one of the areas that has been suggested about the revision of the 1804 law is to make more ratepayers able to access those Parish Assemblies and to understand what a Rates Assembly means, what it is they are voting for and what rights and responsibilities they have to influence the process. Because clearly from the research that we have done and the evidence that we have gathered, there is a considerable body of people who do not understand. If you know and understand the Parish system, it works extremely well for you. I think the key message of this report is to ensure that a wider range of Islanders are aware of the importance of Parish life to our Island.

#### **The Deputy Bailiff:**

We are nearing the end of this extended period, so I will ask those who have not spoken or asked questions before ... so, Deputy Millar, you had your light on.

#### **9.1.22 Deputy M.E. Millar:**

I would like to ask the chair, the Parish system, much of the work of the Parishes within the municipalities is performed by people who give their time voluntarily and for no reward. We are all very, very grateful for the community service that those people give to the Parishes. However, what I have observed is that in some cases there are people doing the same job for a very long period of time, sometimes decades. When you have the same people doing the same job for a long time, that creates its own risk. I am not making any allegation of that, I am simply making the point that the same people doing the same thing for a long time creates risk. When you compare things like our States-owned entities and the A.L.O.s (arm's-length organisations) where we require changeover, did the panel consider risk arising around governance in the Parishes?

#### **Deputy H.M. Miles:**

While we did not consider in particular the tenure of the Parish appointments, there is an opportunity there with the revision of the 1804 law and the *Loi sur la Voirie* to consider those issues, and again

it comes back to the issue of broadening the understanding of the Parish system. If we can bring younger people into the Assembly, into the system who know and understand it, you will therefore have more people, and a bigger pool of people who are available to put themselves forward and feel that they understand enough about the system to put themselves forward for office.

**The Deputy Bailiff:**

We have gone slightly over that extended period, so we will have to move on. The next statement is from the chair of the Assisted Dying Review Panel regarding the Assisted Dying Review, so Deputy Doublet.

**10. The Chair of the Assisted Dying Review Panel will make a statement regarding the Assisted Dying Review**

**10.1 Deputy L.M.C. Doublet of St. Saviour (Chair, Assisted Dying Review Panel):**

I am grateful for the opportunity to present the findings of the Assisted Dying Review Panel on the draft law under consideration today. This has been one of the most complex and ethically sensitive reviews undertaken by a panel in recent years. Our task has been to examine whether the detailed legislation now before us gives full effect to the principles adopted by this Assembly: dignity, informed choice, voluntariness, safeguarding, equality and ethical integrity. Following a robust appointment process, the panel appointed 3 expert advisers: Professors Suzanne Ost and Nancy Preston and Dr. Alexandra Mullock to provide specialist legal, medical and academic insight on the draft legislation. Between them, their considerable experience spans end-of-life law and ethics, medical law and bioethics, and supportive and palliative care, and the panel is extremely grateful for their invaluable input. Over the past months the panel has reviewed extensive evidence: written submissions, expert adviser reports, international comparators, public hearings and engagement with a wide range of stakeholders, including healthcare bodies, charities, disability organisations, financial experts and many members of the public. I wish to place on record my thanks to all who contributed, to the Minister and his team, and also very much so to our panel's officers. In terms of the findings of the review, the panel recognises the significant work undertaken by the Government to design a carefully structured assisted dying framework. We welcome many of the safeguards included in the draft law: mandatory training, repeated assessments of voluntariness, coercion offences, the ability for individuals to pause the process, and clear transparency obligations. Taken together, these provisions demonstrate a genuine commitment to safety and ethical integrity. Members should also be aware that the panel has identified a number of areas which must be further strengthened around the safety, ethical integrity and long-term sustainability of the assisted dying framework. Across the evidence, several themes emerged consistently: coercion is hugely impactful and usually very well hidden; it can be subtle, relational or internalised, and cannot be reliably detected by medical practitioners alone. Decision-making capacity in assisted dying is uniquely complex, particularly near the end of life where cognition may fluctuate. The proposed waiver of future capacity raises practical and ethical challenges, including the risk of misinterpreting distress, ambiguous gestures or a change of mind. Administration of assisted dying carries different safeguarding profiles.

[12:15]

International evidence tells us that practitioner administration can quickly become the dominant pathway, even where self-administration is also offered. Training and guidance remain insufficiently detailed and must be significantly developed prior to implementation. Public awareness is critical, especially for minoritised or digitally excluded groups, but must be managed carefully to avoid any perception of promotion. The financial model is indicative only. The panel found gaps in the assumptions underpinning costs and some risks relating to long-term sustainability. Based on our findings, the panel lodged several targeted amendments intended to strengthen the safety and clarity of the draft legislation. I will summarise these briefly for Members: the Minister is not accepting 2 out of 7 of our lodged amendments. These are, firstly, the self-administration-first model, which is

the third amendment, in which the panel proposes restricting practitioner administration to cases where a person is physically unable to self-administer. This model potentially offers stronger safeguards and aligns with international concerns that practitioner administration becomes the default unless restricted. The second amendment that is not being accepted is the removal of third-party appeals; that is the fourth amendment. The panel recommends removing appeals by persons with a “special interest” against positive eligibility decisions. We found this could create avenues for undue influence or family pressure at a vulnerable moment. The Minister has accepted the remaining 5 amendments. Amendment 5 is coercion offences: strengthening legal protections around these. We propose amending those coercion offences to ensure clarity and proportionality, including differing penalties for the 2 offences of coercing someone not to access this service, and the more serious offence of coercing someone into having an assisted death. Sixth amendment: public information in G.P. practices. We propose restricting written assisted dying information in G.P. surgeries unless a health professional is physically present. Evidence showed that this environment requires some heightened sensitivity. The seventh amendment accepted is on training and guidance, some enhanced statutory requirements here: strengthening the statutory training to explicitly cover coercion detection, domestic abuse, financial exploitation, mental health, and disability-specific risks and Article 78 compliance. The final amendments, the eighth and ninth amendments, these cover requiring that the assisted dying report should be formally presented to this Assembly, and a 3-year statutory review requiring disability representation. There are some key areas not focused on in our amendments, key areas requiring further work, so to draw Members’ attention to the several areas where amendments are not proposed, but where some further guidance, consultation or research is needed. Establishing minimum experience requirements for administering practitioners. Clarifying how the waiver should operate when capacity fluctuates or when a person wishes to pause later in the process. Undertaking a further survey of practitioners to determine whether clinicians would be willing to act in cases involving a waiver. Conducting a full financial impact assessment with contingency provisions and clear transparency around governance costs. Ensuring multidisciplinary assessment becomes the standard practice when assessing voluntariness, coercion and capacity. I conclude the summing up of my panel’s recommendations. We do recognise the significant work undertaken by the Government and the genuine intent to craft a careful and compassionate framework. However, robust scrutiny does require identifying where safeguards can and should be strengthened. Our amendments and recommendations are aimed at ensuring that, if Jersey is to implement assisted dying, it does so with the highest possible levels of safety, clarity, transparency and public confidence. I welcome any questions that Members have on the report.

**The Deputy Bailiff:**

Thank you, Chair. We now have a period of 15 minutes for questions to the chair and the first question I have was Deputy Mézec, followed by Deputy Tadier.

**10.1.1 Deputy S.Y. Mézec of St. Helier South:**

Can I thank the chair and the panel for this very important piece of work because assisted dying is very much a matter of conscience. I have kept a very open mind when it has come to the amendments and I wanted to ask the chair about the fourth amendment, to remove third-party appeals, because my initial reading of what it is seeking to achieve to me sounds like commonsense and the right thing to do. Could I ask the chair what comparisons they made with other jurisdictions about similar approaches they may have on this and what is considered best practice that I ought to bear in mind when deciding how to vote on that one?

**Deputy L.M.C. Doublet:**

I thank the Member for the question. Yes, one of the reasons why we have lodged an amendment to remove this is that we only found one jurisdiction - which I believe was Canada but I might be wrong, it could also have been Australia - that has this in their legislation. This point was drawn to our

attention by our expert advisers, so the panel did decide on balance that Jersey should not really be another outlier in introducing this and that should be amended to remove that from the law.

#### **10.1.2 Deputy S.Y. Mézec:**

I thank the chair for her answer. When they looked at those other jurisdictions and how a similar process worked there, did they find that it had the effect of causing difficulties for people when they are suffering and wanting to seek an assisted death and causing undue influence or family pressure? Is that something those jurisdictions had experienced? If they had, did they have any reason to think that Jersey would be any different in that?

#### **Deputy L.M.C. Doublet:**

It was Queensland, Australia that has this in their legislation. One of the risks is that it could be used as a tool to coerce somebody into not accessing the service: so a family member who disagrees with a decision that has been made by somebody with capacity and who has fulfilled all of the requirements that the Minister has set out in the legislation, and that the professionals involved have also agreed that this service should be offered to that person. A third party being able to intervene and to perhaps use the courts in that way to persuade, could be misused, and that was one of the biggest risks that we found. We also found that it has not been used in that jurisdiction. Even that one jurisdiction that does have it, it has not been used. There were several reasons there for taking it out, some that pointed to it not being appropriate, but also a rationale there that it is not really necessary at all to have it in the legislation.

#### **10.1.3 Deputy M. Tadier of St. Brelade:**

I also thank the chair and her panel for doing this piece of work. While I welcome most of the recommendations and maybe reserve my place on others, I was concerned to see the inclusion of the third amendment. The panel proposes restricting practitioner administration to cases where a person is physically unable to self-administer. Could I ask the chair, why was this worded in such a way that only where somebody is physically unable to self-administer the end-of-life drugs to themselves is included here, could it not be a case that somebody in that situation might well prefer a doctor to do it for them? They could physically do it themselves but it is a psychological preference, an emotional preference that they do not wish to administer the drugs themselves. What we could see here is pressure from the doctor to say: "You are well enough to do it yourself. You can move, I can see that you can take this, but the law does not allow me to do this and the recommendation from the Scrutiny Panel says that I am not allowed to give it to you while you are physically able." Is that the right balance, is that a proportionate recommendation?

#### **Deputy L.M.C. Doublet:**

That is another very good question. The Deputy might be interested to know that we spent I think many hours talking about this one among the 3 panel members. A phrase that the Minister has used to describe some of these amendments is, I think he said: "Dancing on the head of a pin." We are in that place where we have worked so hard and covered so many of the bases, I think probably all of them, that we are now at the point where we are debating some really fine points of principle. This principle - and I will obviously speak in more detail about this when I make a speech to introduce it - is something that is a matter of conscience for Members. We did consider that point that the Deputy raised. We basically got to the panel agreement that the amendment should say that if somebody is physically unable to self-administer, that is when we felt, across the panel members, that that was when it was reasonable for a medical practitioner to step in.

#### **10.1.4 Deputy M. Tadier:**

Would the chair explain the thought process behind why they have ended up in a position where essentially they are removing choice from the person who is at end of life? So where the Minister's proposal does allow that person to decide: "I would like my doctor to administer this" or: "I would

like to do it myself”, it removes the ability for that choice to be made unless somebody is so physically unable to do it that they cannot? How can that be in any way consistent with the wider law, which is about autonomy in this instance?

**Deputy L.M.C. Doublet:**

I am happy to respond to that. I will draw the Deputy’s attention to the discussion in the report around this. The key findings in this area were that practitioner administration does, in jurisdictions where that is an option freely available, end up becoming the default model. We were not sure that that was right for Jersey. We felt, among us on the panel, in terms of, I think the phrase used by one of my panel members was: “This is the ultimate safeguard.” That is a view that Members might share. We also discussed this at length with our advisers. What they helped us to understand with their medical and ethical expertise was that there is a range of medical equipment and different ways of administering, such as the medical practitioner can set up the substance and then it is just a button to be pressed. There are so many different options for self-administration that do involve the support of a medical practitioner up until the final act, that we did feel on balance that this was an amendment that we should lodge.

**10.1.5 Deputy J. Renouf of St. Brelade:**

I will join other Members in thanking the chair and the panel members and everyone associated with the panel. I know it has been a huge effort and something which the panel has taken exceptionally seriously. Sticking with amendment 3 for a moment, the chair has made 2 references to the fact that in jurisdictions where practitioner administration is available, it becomes the default option. Can she give examples of any deleterious consequences that have flowed from this? Why is that a problem?

**Deputy L.M.C. Doublet:**

That is another interesting question and I am just scanning my materials. I am not sure that I can give an answer to that one. What I can commit to doing is looking into that and when it comes to the debate on this, I will make sure that we have an answer for the Deputy.

**The Deputy Bailiff:**

Are there any further questions for the chair of the Assisted Dying Review Panel? In that case, we move on to the next statement and that is the chair of the Health and Social Security Scrutiny Panel. Deputy Doublet, I believe that is you again.

**11. The Chair of the Health and Social Security Scrutiny Panel will make a statement regarding the Family Friendly Legislation Review**

**11.1 Deputy L.M.C. Doublet of St. Saviour (Chair, Health and Social Security Scrutiny Panel):**

That has moved on quicker than I was anticipating. I am pleased to present the report of the Health and Social Security Sub-Panel that has been reviewing Jersey’s family friendly employment legislation. While the sub-panel consisted of myself and Deputies Stephenson, Moore and Wilson, it has been overseen and approved by my main panel, and I thank all Members who have contributed to this work, particularly Deputy Stephenson who has acted as a *de facto* vice-chair for this review. The review comes at a time when many families in Jersey are under increasing pressure. The evidence that we received demonstrated clearly that while the legislation has brought meaningful cultural and social benefits, those benefits are not being experienced equally across our community. The sub-panel’s work, therefore, focused on understanding where the legislation is working well, where barriers remain, and what practical steps are needed to ensure that all families can genuinely access the support the law intends to provide. One of the strongest outcomes of our review is the recognition that affordability remains a major obstacle. Although parents are entitled to up to 52 weeks of leave each, very few families can actually afford to take more than the first 6 weeks.

[12:30]

Many are returning to work earlier than they would choose, not because it is best for their child but because of financial necessity. This undermines the legislation's child-centred intent and widens inequalities between families. Childcare availability and cost emerged as another decisive factor shaping parents' choices. Fees for children under 2 often exceed mortgage or rental payments, and shortages in places - particularly for babies, parents who work shifts, and for children with additional needs - are pushing families into debt, out of the work force, or off the Island altogether. These pressures are directly linked to Jersey's declining birth rate and workforce sustainability. We also found that awareness and understanding of these rights remain inconsistent. Many parents, employers or even professionals are unclear about entitlements, protections and processes. Without accessible, accurate information rights exist on paper but not always in practice. Employers were clear that while they support the principles of family friendly legislation, they need clearer guidance and more practical support to implement it effectively, particularly smaller organisations who face the greatest operational strain. Their perspectives were essential to ensuring that our recommendations are balanced, realistic, and achievable, and the sub-panel took great care to reflect this. The review also identified inequities that the current legislation does not fully address: single parents who receive ½ the total leave of a 2-parent household; grandparents and kinship carers who play essential caregiving roles but lack any formal recognition; and parents of disabled children who face additional challenges but receive the same statutory allowances as others. If Jersey is really serious about child-centred policy, these inequities require attention. Across all of these, one theme is clear. The legislation has strong potential to support children during the critical first 1,001 days of life, but that potential is not being realised evenly. Our recommendations aim to bridge that gap by improving communication, strengthening monitoring, enhancing flexibility, and ensuring that support is both accessible and financially feasible for families and employers. I would like to highlight one set of recommendations in particular; those relating to the Jersey Advisory and Conciliatory Service. I want to state clearly that these recommendations are made in good faith, intended to support the organisation in delivering the best possible outcomes for the people and businesses who rely on it. J.A.C.S. (Jersey Advisory and Conciliatory Service) plays a vital role in employment relations and our suggestions are aimed at equipping it to continue that role effectively as the legislative landscape evolves. The sub-panel approached this work with a strong commitment to balance and pragmatism. We sought to understand the real world impact; not just the legislative intention of the current system, and to propose measures that will make a practical difference for families and employers alike. The report reflects that approach. Finally, I extend my sincere thanks again to our officers who have worked tirelessly to support the sub-panel and to our adviser, Dr Merve Uzunalioglu, and also to all those who contributed their insights and their expertise. More than 430 Islanders - parents, grandparents and carers - responded to a public survey that was launched as part of this review, and many others spoke to us at public engagement events. Their voices, along with those of the businesses and other stakeholders that engaged with us, have shaped a set of recommendations that look beyond legislation alone towards the kind of Island we want to be: one that values care, supports family life, and invests in children as our shared future. The central message of the report is that investing in families is investing in the Island's future. At this pivotal moment the choices made now will determine whether Jersey becomes a harder place to raise children or a more hopeful, nurturing and sustainable community for generations to come.

### **The Deputy Bailiff:**

Thank you, Chair. There then follows a further period of 15 minutes for questions from Members.

#### **11.1.1 Deputy M. Tadier of St. Brelade:**

Thank you to the chair and her panel for this review and this report. I know all Scrutiny Panels are very busy at the moment. The question is perhaps slightly out of left-field. While the title of the review was "Family Friendly Legislation", often we focus - quite rightly - on children and young families in our community but there are many family units in Jersey who do not have children and

whose families may be abroad. Their only family may be parents who are getting elderly who live outside of Jersey, yet their children have decided to make a home in the Island doing jobs that are essential for the community, that we have asked them to do. Was any consideration given to that vertical relationship, not just about parents and children but adults with elderly parents who may at some point need to come and live in Jersey, or who otherwise face the option of having to leave the Island that they have also made their home in?

**Deputy L.M.C. Doublet:**

I thank the Deputy for his question. That particular issue was not in scope of the review, nor did it come up in any of the submissions that I can recall, but I will check. I am happy to give a personal view on that. I cannot give a panel view because it is not something that we covered. I believe that caring responsibilities - whatever the type of person being cared for - should be adequately provided for in employment legislation, and I think that is certainly an area for future investigation. I will consider putting that to my panel for consideration for our legacy report.

**11.1.2 Deputy J. Renouf of St. Brelade:**

I thank the chair of the panel for the report, which I had sight of obviously because I am a member of the home panel, if you like. The chair made reference in her comments to the reactions and involvement of business in the report and in the work of the panel. The issue is often portrayed as one of people wanting extra benefits and business not wanting them. Would she comment on the extent to which business engaged positively with the notion of improving the family friendly landscape in terms of their own operations, and in terms of the better functioning of the economy perhaps?

**Deputy L.M.C. Doublet:**

I thank the Deputy for his question. We went to great lengths to try and include the views of businesses, which were harder to ascertain at times. Generally businesses have been really positive about this legislation and many businesses do see the benefits in terms of retaining employees and enabling that work life balance. But we did hear some notes of caution from businesses were this legislation to be extended. Given the current climate, businesses I think have warned that they may not be able to accommodate that extra cost, and that were any additional leave formally proposed, that is something that Government would need to find some funding for. So there are some big questions to be asked and answered there. Again, it is slightly out of scope of the review, but that conversation is open now and one I think the next Government need to pick up.

**11.1.3 Deputy M.R. Scott of St. Brelade:**

I note that the report focuses on family friendly legislation and I was just thinking about that and the distinction between what you might call family supportive legislation in terms of the context of this question. I note that the report is saying that we need to invest more in supporting parents in certain ways. I wondered whether the panel had considered the parenting skills courses, which I believe are currently optional, and whether there is a case for making them compulsory as part of a way of supporting families. Obviously you cannot control other people's children, but also in terms of an element of a preventative measure in terms of perhaps anticipating needs further down the line.

**Deputy L.M.C. Doublet:**

That is another interesting question, again slightly out of scope but what I can demonstrate that was found by the panel, we did not find any families who were struggling because of a lack of parenting skills. What the review found is that families are struggling because of the cost of living and various other economic and environmental factors. My assessment of the evidence in the review is that it is not parenting skills that are lacking - although of course as a parent myself I think any parent can and should reflect on their parenting skills - but it is the social contexts in which Islanders are having or indeed choosing not to have children, and how difficult or easy it is to actually raise children in the

context of such high fees, and shortage of places for childcare, and an inability to be at home for those first few months when the leave that we have provided for in the legislation is not funded. Those were the things that we found that families were really struggling with. I know that there are some excellent parenting courses available. Some of the groups that gave evidence to the panel run those courses, and that support is there. I am fairly confident that support is there from charities and Government now, but it is not the main factor where families are struggling.

#### **11.1.4 Deputy R.S. Kovacs of St. Saviour:**

As chair of U.N.I.C.E.F. (United Nations Children's Fund) Baby Friendly Initiative, and Breastfeeding Guardian for Jersey, this is something that I am an ongoing advocate for and I thank the panel for reviewing it. The review identifies wide variation in how employers implement these family friendly policies, including parental leave, flexible working, and breastfeeding support. What measures does the review propose to ensure consistent, enforceable application of family friendly rights across all sectors, particularly in high risk areas like shift work, hospitality, and small businesses?

#### **Deputy L.M.C. Doublet:**

I thank the Deputy for her question. I am just looking at my recommendations and I can signpost Members to recommendation 18 and there should be an extension of the protections for breastfeeding and expressing under the current legislation to 2 years - which would be in line with the World Health Organization recommendations - and also for further support and encouragement of breastfeeding in alignment with established best practice policy. We did find some evidence that there are some difficulties being experienced by parents and businesses, and I will refer Members to the recommendations that focus on communication of these rights and entitlements. I can see the Minister nodding there. The Minister was very helpful in this review and we were able to have some really constructive discussions with the Minister. There is this realisation that not everybody knows about some of the rights, particularly the right to take those breastfeeding breaks that should be during employment time. I would like to thank the Deputy for continuing the work that Deputy Moore and myself started. It is really important work and I hope that the group can take on some of these recommendations and help to promote them.

#### **11.1.5 Deputy R.S. Kovacs:**

The review also notes that families without extended local support, such as single parents or migrant households, face significant barriers to access family-friendly entitlements. What policy or workplace interventions are recommended to ensure equitable access to parental leave, flexible working, and breastfeeding support for these families?

#### **Deputy L.M.C. Doublet:**

Sorry, would the Deputy just repeat the question? I did not quite catch some of the first part.

#### **Deputy R.S. Kovacs:**

The review mentions that families without extended local support, like single parents and migrants, face difficulties of actually accessing what they are entitled to and where that support could be.

#### **Deputy L.M.C. Doublet:**

Yes, thank you. We had one very impactful submission in particular which I would point Members to, on page 85 of the report. If Members do not read anything else I would really encourage them to read that one because it was very impactful. We have recommendation 19, so as well as all of the communication that needs to improve that should target Islanders who speak additional languages, there should also be an exploration of the introduction of a time-limited perinatal family carer visa. This is following on from the submission that we received, and this would recognise postnatal caregiving as a reason for family to visit in the short term, and would provide that support and

hopefully stop some families leaving the Island to go and seek that support where their relatives are. The panel found that bringing their relatives over would make a huge difference to some families.

[12:45]

**The Deputy Bailiff:**

We have reached 12.45 p.m. where I am required by Standing Orders to remind Members of the lunch adjournment.

**LUNCHEON ADJOURNMENT PROPOSED**

**The Deputy Bailiff:**

The adjournment is proposed. Are Members content to adjourn to 2.15 p.m.?

**Deputy M. Tadier of St. Brelade:**

Sir, before we adjourn can I check, will this conclude?

**The Deputy Bailiff:**

There is a further question from Deputy Millar and we still have another 5 minutes of time.

**Deputy M. Tadier:**

If that is the last question that may be asked that might be a good juncture, rather than ... but if there are more questions I think we should retire.

**The Deputy Bailiff:**

There will be a further question from Deputy Kovacs so I suggest we go with Member's feeling that we adjourn.

[12:46]

**LUNCHEON ADJOURNMENT**

[14:18]

**The Deputy Bailiff:**

Before we return to listed business I wish to inform Members that the Bailiff has received notice from Mr. Vijay Khakhira of his resignation as a member of the Public Accounts Committee. One further matter, but I will wait for the Chief Minister to return; it in relation to his written answer. Therefore, we will return to the period of questions in relation to the report by the chair of Health and Social Security Panel, and I have Deputy Millar as asking the next question.

**11.1.6 Deputy M.E. Millar:**

The chair mentioned in her report about the need for support for families, and she also mentioned the difficulties faced by single parents. Given that the vast majority of children do have more than one parent, has her panel given any consideration to what we as a community might expect of the absent parent, and whether it is right that we investigate ways of the absent parent supporting the child with whom they no longer live?

**Deputy L.M.C. Doublet:**

I thank the Deputy for her question. No, that was not in the scope of the review, but I think it is something worth considering more generally.

**11.1.7 Deputy R.S. Kovacs:**

Many parents reported abrupt transition back to work after leave impacting well-being and their childcare arrangements. Does the review recommend mandatory or structured phased returns, flexible hours, or other practical supports to help parents to arrange that successfully?

**Deputy L.M.C. Doublet:**

In terms of breastfeeding I looked at the report and we mentioned breastfeeding 98 times, so there are many, many areas that we have covered, and I think that shows how important that area is. What the panel did find was that because of the communication difficulties with some of the rights, that is something that should be addressed first; that people should understand the rights that they do have. We found also that a significant percentage of people who are asking for the breastfeeding facilities - the survey found that it was applicable to 13 per cent of those respondents - were not having the facilities provided to them. So it is important that is provided for. We also found some evidence that 12 weeks of paid leave significantly supports ongoing breastfeeding, so that is something that we have highlighted within the report as well.

**Deputy R.S. Kovacs:**

It still was not answered on the part of if the report recommends any mandatory or structured phased returns to support better integration.

**Deputy L.M.C. Doublet:**

Yes, I am just looking through the report. Yes, I think we did make some mention of this and certainly parents highlighted that they would like some phased return options. This was something that was highlighted in terms of the survey respondents. I do not think we have made any specific recommendations around this. I am just going back over them. I do not think we have made a specific recommendation but I think in line with the findings of the review that would also be something that is sensible. Given the Deputy's role, if that steering group were to recommend themselves that that is something that would be beneficial to supporting breastfeeding mothers, then I certainly think that should be taken seriously, and the evidence in the review would back that up as well.

**11.1.8 Deputy R.S. Kovacs:**

Findings note positive shifts in father involvement, but continued stigma in some sectors. What recommendation does the panel consider most impactful to normalise the father's participation in early caregiving as well?

**Deputy L.M.C. Doublet:**

If I have got the gist of that question, that was about fathers or second parents. Yes, we have recommended that should be looked at and there should be better paid leave for fathers because sometimes what is happening in workplaces is there is perhaps more paid support for mothers for maternity leave, and fathers are not always getting that. We did find some limited evidence of fathers not being able to access their entitlements in law, and again improved communication would help with that because if every single employer really understood all of the nuances of the law ... which is really complex, and again I can see the Minister nodding, it is a really complex area. It is not very easy to communicate it because the law itself interacts also with social security entitlements. It is not a very easy thing to communicate, but if that were improved then the panel have found that would improve the access of fathers and second parents to that leave. But, yes, we have also asked that some consideration is given to if there were any extension of parental leave, that there should be some careful consideration around the evidence that shows whether the mother and child would benefit from having a slightly longer period of leave. We have not made firm conclusions on that because the panel thinks that is something that needs to be explored further, but there are certainly many things that could be done to improve that access for fathers or second parents of their rights and entitlements.

**The Deputy Bailiff:**

That brings the end of the 15 minute period for questions to the chair of the panel. Are Members minded to extend a further 15 minutes? Deputy Jeune has indicated she would like to ask a further question. A further period of 15 minutes? Very well, then I extend the period by 15 minutes.

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

I thank the Assembly for allowing me to ask my question. During the review I raised evidence from Brighter Futures showing that eligibility rules for the maternity grant exclude some of the most vulnerable families, including younger parents not yet in employment and mothers unable to work due to health or personal circumstances. Given that finding 50 recognises this exclusion and recommendation 20 calls for a review, does the chair agree that if Government's stated policy is to put children first, eligibility criteria that systematically leaves the most vulnerable newborns without support require urgent reform rather than incremental adjustments?

**Deputy L.M.C. Doublet:**

Yes, I thank the Deputy for her question and for her contribution to the review. Indeed she mentioned Brighter Futures and I want to thank them as well because, as the Deputy as highlighted, they made a significant contribution to this review, which led us to be able to make some well-informed findings and recommendations. This problem that the Deputy has outlined is potentially bigger than we realise because it is happening to people who do not necessarily have much of a political voice or feel able to use their voice. In terms of recommendations, that is something I do feel very strongly about and, as the Minister is considering it, I do hope that she accepts that one and that the next Government will be able to action it. I think the Minister is mindful of doing that. Everybody when they have a child needs to be able to access these provisions, and it is important that there is equity no matter how long people have been on the Island and that we welcome people who want to start families in Jersey.

**11.1.10 Deputy H.L. Jeune:**

I thank the chair for her answer. I was just wondering if the chair could advise what clear timetable she would advise the Minister when responding to recommendation 20 for this review to happen but also to have changes to ensure that there is a very short time gap between implementation and having these changes to ensure the families that currently fall through the gaps are not left waiting long periods?

**Deputy L.M.C Doublet:**

While I am usually a strong believer in deadlines for recommendations, for this review because it was so broad-ranging and it links to so many different other policy areas, we did not put a timescale on this one. I think that was the right thing to do because the next Government will need to consider it in the context of many other different strands that link into this, such as cost of childcare, general cost of living, population control. We have not put a timescale on that but I can only reiterate that it is a very important recommendation and thank you to those who have highlighted it.

**The Deputy Bailiff:**

Deputy Kovacs, you have indicated you have a further question.

**11.1.11 Deputy R.S. Kovacs:**

One last one, I promise. Talking about the next Government, with over 20 recommendations covering communication legislation and financial support inclusion, which areas does the panel view as the highest priority for Government action in the next term?

**Deputy L.M.C Doublet:**

Another good question. Certainly the communication of the existing legislation, and I can see the Minister nodding. It is such a complex area. People really need to understand what is already there so that they can access it. That will, hopefully, help to change cultures within workplaces so that second parent, fathers are feeling able to access more of that 52 weeks than is currently being accessed. I have lost my train of thought now. Could the Deputy just repeat the question?

**Deputy R.S. Kovacs:**

The highest priority from the recommendations for the next term.

**Deputy L.M.C Doublet:**

Yes, thank you, I had a mind blank there. Also, taking into the context some of the recommendations around single parents and grandparents and extended family carers; for me, those would be some of the recommendations that need to have the soonest attention. Because the support for families is there in parts of our community. Grandparents, for example, they have no rights to take any leave, unpaid or paid, from their jobs.

[14:30]

What may be happening is that grandparents might be leaving work to help care for their grandchildren and then we are losing those people from the workforce. But there could be some simple amendments to the Employment Law to allow some protection for those jobs. Also, single parents, again Brighter Futures, some of the evidence they gave was really quite profoundly moving. Some of the struggles that the single parents are facing and even in dual-parent families who are perhaps working 2 jobs and not able to spend that time with their children, those are the really critical areas of society that I think need help most urgently.

**The Deputy Bailiff:**

Unless there are any further questions, we move on to the fourth statement, which is from the Chair of the Children, Education and Home Affairs Scrutiny Panel and the statement is in relation to the Lifelong Learning Review. Deputy Curtis.

**12. The Chair of the Children, Education and Home Affairs Scrutiny Panel will make a statement regarding its Lifelong Learning Review**

**12.1 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 panel's review into lifelong learning, which was published on 13th February. As it is a busy time, I understand some States Members may not have had the opportunity to read the report. I will briefly highlight some of the main findings and recommendations and also the reasons why the panel believe this review was necessary. This review was undertaken because lifelong vocational learning is central to Jersey's resilience. As work changes rapidly, people need opportunities to gain new skills, not just at the start of their careers but throughout their lives. Our panel, therefore, examined how well Jersey's current system supports apprenticeships, technical qualifications, professional retraining and other forms of vocational learning. We gathered written submissions from stakeholders and the public and engaged directly with the Jersey Youth Assembly to understand young people's experiences. We also appointed Professor Ellen Boeren, an expert in lifelong learning from the University of Glasgow, to provide comparative analysis and identify lessons from other jurisdictions. In addition, we held public hearings to further inform our work. What we discovered was a system with real strengths but also significant challenges that limit access, progression and future readiness. The panel identified 33 findings across the review, reflecting both strengths and systemic challenges within Jersey's lifelong vocational learning landscape. Early career vocational pathways were found to be well-established and effective with Highlands College delivering strong level 2 and 3 programmes and employers

consistently valuing the contribution of apprentices. The panel also learnt that adult learners face significant financial, structural and cultural barriers, particularly when seeking to progress beyond level 3 or to retrain later in life. The Highlands College estate is outdated and no longer able to fully support modern industry-standard vocational training. The system is fragmented with provision spread across numerous providers. There is limited co-ordination and no single accessible source of information for learners and employers. Also, the system is exposed to U.K. qualification reforms with the introduction of T levels and V levels and planned phasing out of B.T.E.Cs. (Business and Technology Education Councils), creating uncertainty around future pathways. To address these challenges the panel has put forward 20 recommendations. Firstly, improved information, visibility and cultural change. The panel recommends the creation of a single online portal for apprenticeships and vocational courses, supported by communications campaigns to raise the profile of vocational learning and to challenge the persistent perception that these routes are second best. The panel stresses the need to promote a culture of lifelong learning and continuous skills development, so that Islanders can adapt, progress and contribute to Jersey's long-term economic resilience. Secondly, stronger adult pathways and funding reform; recommendations include introducing modular and flexible learning options, clarifying eligibility rules, improving support for retraining and redesigning funding systems so that learners of all ages can access opportunities on an equitable basis. Also, investment in infrastructure, data and co-ordination, the panel proposes developing a modern lifelong learning hub at Highlands College, standardising data collection across providers, strengthening labour market intelligence and reforming apprenticeship subsidies and business support, so that employers, including small businesses and sole traders, can participate more easily. Overall, the panel found a vocational learning system with committed providers, strong early career pathways and clear enthusiasm from employers. But the panel found that the lifelong aspect of lifelong learning is underdeveloped. Adults seeking to retrain or change careers face too many barriers and the system lacks the coherence, visibility and modern infrastructure needed for the future. Lifelong vocational learning will be essential to Jersey's economic resilience, social inclusion and workforce sustainability. Strengthening it will ensure Islanders of all ages can adapt and progress and contribute to a modern dynamic economy. In a period of rapid technological change, increasing automation and the emergence of new green and digital skills, it is vital that Jersey has a lifelong vocational learning system that is flexible, adaptable and capable of future-proofing the workforce, so the Island remains resilient and equips Islanders with transferable skills. I would just like to thank the panel members, officers, our expert advisers and all who have contributed. **[Approbation]**

### **The Deputy Bailiff:**

Now follows a further period of 15 minutes for Members to ask questions of the chair of the Scrutiny Panel.

#### **12.1.1 Deputy L.M.C. Doublet of St. Saviour:**

I am trying to find in the report, and I apologise if I have missed it, but did the panel consider at all how parents who have young children and perhaps single parents who want to advance their own learning and perhaps undertake a degree or similar qualification? Does the panel believe that there should be some accompanying childcare support that might go with that to increase the access?

#### **Deputy C.D. Curtis:**

Thank you for the question. We did not look at childcare support specifically while people are training but we did look at the barriers to people who want to retrain or upskill. Certainly someone with family commitments often needs flexible, modular options. We found that these were not available or if they were available no one knew about them. Also, another barrier to people with responsibilities was the funding aspect. There was insufficient funding available for people reskilling and upskilling.

#### **12.1.2 Deputy J. Renouf of St. Brelade:**

I thank the chair for a typically considered report. The language and comments that she has made are very measured. I wonder if she feels that the challenge that we face around lifelong learning is one that is much more serious than that language merits. We have a society which demands continual reskilling of people. We know the challenges of A.I. (artificial intelligence). We know that people are going to have to have multiple careers through their jobs. Is it the chair's view that this Island is taking that seriously enough and has in place the measures that we need to have, the funding, the organisation, the application of focused effort from Government that we need?

**Deputy C.D. Curtis:**

Interesting question. I think it is a very serious problem and I do not think it is being considered properly currently, which is why we have made so many recommendations, which I hope will be carefully considered and accepted. I think looking at the comparative analysis, mostly provided by our expert, shows what can be done in other jurisdictions. I think that that information is there for the next Government to carefully consider and, hopefully, progress this matter.

**12.1.3 Deputy R.S. Kovacs of St Saviour:**

How would the panel change perception of vocational learning and build a culture of lifelong learning skills development across young people, adults and employers?

**Deputy C.D. Curtis:**

Sorry, was that the culture of vocational learning? We did see that this was a real problem, and the Youth Assembly highlighted to us that if you are going in for vocational learning it is considered that maybe it is because you failed at school. Certainly other jurisdictions value vocational learning much more highly. We have recommended that there should be an organised campaign using examples of people who have gone through vocational training and done very well for themselves. I think this would help to combat some of those issues.

**12.1.4 Deputy R.S. Kovacs:**

In the panel's view, what practical steps and support will encourage small businesses, sole traders and other employers to take part more in apprenticeships and lifelong learning?

**Deputy C.D. Curtis:**

The support available is fragmented. We really think there needs to be better information to businesses and users. There is no single online portal to describe what is available, which is remarkable really in such a small jurisdiction as Jersey. There also needs to be a review of the Better Business Support Package, which I think is due to finish at the end of this year. Also, we did recommend that sole traders should be considered because it is not clear who can apply to the Better Business Support Package as well. We do have a number of recommendations to try and address the issue of where businesses feel they can apply and train people.

**12.1.5 Deputy K.M. Wilson of St. Clement:**

I just wonder if the chair could give us some indication of whether or not there is a perception issue around apprenticeships and whether through any of the work that the panel did that she came to understand why perhaps maybe the take up of apprenticeships is still problematic and whether there are any particular recommendations that she has identified that will address that particular issue?

**Deputy C.D. Curtis:**

Firstly, I will just mention the beliefs and the culture around vocational learning, which does not seem to be as valued as around academic learning and a campaign to address that. Also, when anyone is applying for apprenticeship training it is not clear what is available to them at all. There is just not that single information source, which would help a great deal. The funding also in Jersey differentiates between vocational training and higher education opportunities, which is different from

a lot of other jurisdictions. There is not a clear access route. There is not clear information on what is available. We do have a number of recommendations to improve that.

**12.1.6 Deputy K.M. Wilson:**

Could I also ask the chair of the panel whether or not she is aware that they identified any particular developments that would address the fact that we do have an ageing workforce? Is there any difference of approach that is needed to perhaps creating job opportunities for younger people?

**Deputy C.D. Curtis:**

Yes. I just think a focus and greater Government support completely on training opportunities for people would make a big difference. We can see where that focus has not been from Government, just by looking at Highlands College, the building, because it needs complete upgrading. It is not good for anyone's feelings around retraining when the main hub for this is literally falling apart in many areas.

[14:45]

Overall there needs to be a much greater focus on Government helping businesses and giving information and funding to users to increase the potential for lifelong learning.

**12.1.7 Deputy M.E. Millar:**

I think the chair mentioned the Better Business Support Package funding, and I think she said that if there is any excess in that funding it should be diverted towards some of the recommendations in her report. When the States agreed the Better Business Support Package it was on the basis that any excess or leftover funds would be paid into the Social Security Fund. Would she support any such excess not being paid into the Social Security Fund and being paid for the purposes of lifelong learning?

**Deputy C.D. Curtis:**

This is something I have not considered. I did not say anything about excess from the Better Business Support Package. It is something I would have to consider. We have not considered that in the review.

**The Deputy Bailiff:**

Any further questions for the chair of the Scrutiny Panel? No. In that case we move on to the fifth and final statement, which is from the Minister for the Environment, who will make a statement concerning the Carbon Neutral Roadmap and the phase out of petrol and diesel vehicles from 2030.

**13. The Minister for the Environment will make a statement regarding the Carbon Neutral Roadmap and the phase-out of petrol and diesel vehicles from 2030**

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

Members will be aware that my official responsibilities include implementation of the Carbon Neutral Roadmap, a document that was agreed in this Assembly in April 2022. The roadmap has its roots in the decision we took in this Assembly when we declared a climate emergency in 2019. Its adoption demonstrated our commitment to reduce the Island's greenhouse gas emissions. It was also instrumental in securing the extension of the Paris Agreement to Jersey. Between early November last year and the end of January this year a public consultation was held on Transport Policy 5, TR5 of the Carbon Neutral Roadmap, to end the importation and registration of petrol and diesel vehicles that are new to the Island from 2030. To be clear, the intended scope of TR5 agreed in 2022 included both new and used vehicles. This policy was designed to serve as the principal means of decarbonising the Island's fleet through a managed phase out of petrol and diesel vehicles in the period leading to 2050, starting with cars and small vans. The policy also recognised the direct

impact of decisions made by the U.K. Government on the types of new vehicles that will be available to purchase in the Island. The recent consultation set out what a full implementation of the policy agreed in the roadmap would look like with respect to the vehicles affected in 2030 and in 2035. It also identified some proposed exemptions for any used vehicles that might be imported. Respondents were invited to comment on this model before any steps were taken to agree our final approach. I stressed a number of times at meetings that I attended that nothing had been decided and that the views of consultees were really important. This has been a significant consultation on a major decision for the Island. Over 2,000 individuals and businesses completed the consultation survey. We have also received dozens of written responses and seen hundreds of Islanders at consultation events. We are now carefully analysing all submissions received, but it has already become very clear that there is overwhelming support to modify the approach envisaged in the Carbon Neutral Roadmap. In particular, the inclusion of used vehicles in the scope of this policy has been something that is clearly not widely supported. I have, therefore, concluded, as we proceed with the phase out in whatever form, that we will not be looking to universally restrict the importation and registration of used vehicles. However, it is not just public sentiment that has led me to this initial conclusion, having now also received an early briefing on the economic impact assessment that has been undertaken in parallel with the consultation, I think there are other compelling reasons to announce this shift. Retaining the flow of used petrol and diesel vehicles into the Island will help enable a more just transition for Islanders, ensuring the burden of change does not unnecessarily impact on those worse off. We must take steps to ensure affordability, both at the point of purchase and for vehicle servicing and repairs. This is critical to preserving customer choice and ensuring the Islanders can manage the costs associated with day-to-day motoring. Further, it is essential that any changes in Jersey take account of and are aligned with the markets that serve us to avoid significant costs. I must stress this is only a preliminary announcement intended to provide an early clarity I promised to motorists and the motor trades. In removing used vehicles from the policy scope, we are still left with some key choices about how we best reflect and formalise the U.K.'s planned phase out, which is due to come into effect in 2030. I am continuing to consider a number of other matters and I will be announcing the final position on this in the coming weeks, in conjunction with the publication of the consultation report and the economic impact assessment. While this change will be reassuring to many and is the right choice for the Island at the present time, we will also need to carefully consider its impact on our road transport emissions. The second 4-year delivery plan for the roadmap is now under development for delivery from 2027 to 2030. It is vital that we take a cohesive and pragmatic approach to decarbonising our largest single source of greenhouse gas emissions, while protecting those who depend on fossil fuel vehicles for their day-to-day mobility or livelihoods, as we transition to a low-carbon economy.

**The Deputy Bailiff:**

Thank you, Minister. We have a further period of 15 minutes for questions to the Minister on his statement. Deputy Tadier, you had your light on first I think.

**13.1.1 Deputy M. Tadier of St. Brelade:**

The question is a fairly simple one. I do not know if the answer will be. It is: what is the definition of a used car that the Minister is working to?

**Deputy S.G. Luce:**

The definition of a used car or indeed a new car takes quite a bit of understanding and deliberation. Rather than define what a used car is, I think I should say that I am trying to avoid lots of officer time, law-drafting time in taking used cars out of any proposed legislation. But to me a used car would be something that is not new, that then takes you to the difficult definition of what do you define as a new car? But I very much hope the Deputy will understand where I am trying to get to here.

### **13.1.2 Deputy M. Tadier:**

Yes, it does not shed much light on my question; it is the flip side of the same coin. I think whether it is new or used, it would be helpful to know what the Minister's thinking is because it seems to me we would not want to be setting up a system that allows a loophole to be set up where someone can easily circumvent the definition of a new car by simply having registered it once in the U.K., for example, driven it for 100 miles to the boat, then changing the ownership. It is a used car technically when it is brought into the Island ostensibly, otherwise it is new and will probably be sold at the price of a new car, even though it is registered as a used car. Is this not an inherent risk in what the Minister is proposing and does it not dilute the work that the Minister should be doing to try and make the Island a cleaner Island and to take real steps, whether it is used or new cars, to rid the Island to some extent of fossil pollution?

### **Deputy S.G. Luce:**

As I said in my statement, I am doing my very best to try to reduce carbon on this Island, carbon emissions that is. But, as I also said in my statement, the 2 words "just transition" keep coming back into my mind. I was attending a British-Irish Council meeting with other Ministers for the Environment only a couple of weeks ago in the U.K. and those 2 words came over and over again during all sorts of conversations about just transition. The important thing for me is if we get to 2030 with a used vehicle import ban, that many people who cannot afford to buy new vehicles, which are obviously more expensive, will find themselves in a real difficult position where the Government will have imposed a law that says they cannot buy the vehicles they would choose because those vehicles would be cheaper to purchase and, potentially, not necessarily cheaper to run. But they would have without doubt some carbon emissions. But we have got to think about everybody in this and is it fair to introduce legislation which makes it more expensive, almost impossible for certain parts of society not to be able to transport themselves round the Island, whether that is for themselves or their livelihoods and their businesses? It is a very difficult decision to make. If we were to introduce a phase out of used vehicles, as I mentioned, we would need to discuss which used vehicles would be exempt? Things like ambulances, things like hearses, things like other emergency vehicles. Then how do you deal with people who would like to import a used vehicle which they only want to drive for maybe 50 or 100 miles a year? How do you deal with motorsport vehicles, which are only driven for a very short period of time on an annual basis or indeed used vehicles which people buy for investment, who would come to the Island and put them in a garage and not drive them at all? We do need to be very careful. I was acutely aware of the amount of officer and law-drafting time that would be needed to come up with, firstly, the definition of used vehicles and, more importantly, the exemptions list which we would need. In saying that, we are not going to deal with used vehicles at all, it avoids all that. I hope very much that by the time we get to 2030, in any case, that the choices available to us will be greatly reduced because the U.K. will be phasing them out as well.

### **13.1.3 Connétable K.C. Lewis of St. Saviour:**

I congratulate the Minister on his pragmatic approach. I understand fully the parity with the U.K. so that we do not become a dumping ground. But 2030 is a mere 4 years away, with the best will in the world there is no way we can go fully electric by then or anywhere near. Is the Minister aware that in the European Union, which we are not a part, is now 2035 and is under pressure from the German autobahn industry to stretch that even further?

### **Deputy S.G. Luce:**

It will not come as a surprise to the Constable that I do take great notice of what is happening, not just in the U.K. but in Europe. I believe I was informed anecdotally, I have not checked it out, but that France has recently passed some laws that 2035 ... they are pushing their legislation out to that date. I do think we have to be cognisant of all those things. As I said, we declared a climate emergency in 2019. We adopted the Carbon Neutral Roadmap in 2022, and that seems like a very,

very long time ago. Certainly on both those dates, especially 2022, I think the world had a different attitude towards reducing carbon, towards electrified transport vehicles. Things have changed significantly in the last 18 months; we need to accept that. We need to look at what other people are doing and we need to take a pragmatic approach, which does not mean we spend a huge amount of time, effort and money legislating for something that probably will not happen in any case.

#### **13.1.4 The Connétable of St. Saviour:**

Does the Minister not believe that instead of going fully electric we should be pursuing more vigorously biofuels and other non-polluting fuels for cars and trucks?

#### **Deputy S.G. Luce:**

At every opportunity I do stress to those selling gas or selling oil, selling petrol or selling diesel, that I would like them to come back with bio alternatives. Where we are seen to sometimes be pushing people down an electric road; I say no. What we are doing is pushing people down a low-carbon road. Where the oil manufacturers can come up with biodiesel or biopetrol, biogas for that, we will always look at every opportunity to reduce carbon, and we do not do that at the expense of making sure that it is electricity rather than oil or gas. I am very clear that I want to be fair to all manufacturers.

#### **13.1.5 Deputy J. Renouf of St. Brelade:**

Can I turn to the question of new cars, assuming we can find a decent definition? Will the Minister clarify what the situation is regarding new cars? Is his current intention still to ban the importation of new petrol and diesel cars in 2030 or is that still in play? If it is still in play, is it still in play with 2035 in mind or with an open-ended commitment in mind?

[15:00]

#### **Deputy S.G. Luce:**

As I said in my statement, I still need to finally work my way through all the consultation responses. There was a huge number of them. I am reserving my position on new vehicles for another few weeks until I have had a chance to do that and until I have had a chance to completely understand and analyse the economic impact assessment. But it has been clear to me that new cars - while I do not want to give anything away, I certainly have not predetermined it - may be a challenge as well, inasmuch as I have had anecdotally been told by some that because of the way the new car market is working currently in the U.K. where all manufacturers have been legislated for and are told they have to sell a percentage of new cars as electric vehicles. In some cases electric vehicles are not being sent to Jersey because electric car sales in Jersey will not count towards their sales in the U.K. I am very wary that we need to be very careful moving forward. I will consider my approach in the next few weeks and make sure that I, hopefully, take the right decision. But it is a decision that has got the best evidence behind it.

#### **13.1.6 Deputy J. Renouf:**

The Minister made reference in his answer to one question about the fact that a just transition required people to have the option to buy relatively low-cost used cars. I would remind the Minister that there are currently approximately 100,000, give or take, internal combustion engine cars already in the Island, all of which are used by definition. What weight does he place on the requirement to phase out carbon emissions by 2050, which by 2030 will only be 20 years away, given the fact that cars in Jersey spend considerably longer on the road than anywhere else? By continuing to allow the import of petrol and diesel cars beyond 2030, it will become very hard for those cars to all be off the road by 2050. Along with that, we will miss out on the benefits in terms of improving air quality that come with that, as well as carbon emissions.

#### **Deputy S.G. Luce:**

I take those views on board, and many of them are very worthy of consideration. But I would remind the Deputy that the current position in the U.K. would be that from 2030 motorists will no longer be able to purchase brand new pure petrol or pure diesel vehicles. If you just work that out, the amount of petrol and diesel vehicles coming on to the U.K. market and, as a consequence, the Jersey market will reduce. I have always felt that it would be the manufacturers that will dictate how we move forward with carbon reductions when it comes to vehicles. I will say of course, and as I just alluded to that, the attitude of manufacturers has changed and is changing. But still at the end of the day Jersey's car sales are just that we act in Jersey a little bit like a franchise of the U.K., if you like. If a U.K. manufacturer is not selling a particular model in the U.K. in 2030 we can be sure it will not be available for sale in Jersey either. I think moving forward, the ability to continue to import used petrol and diesel vehicles is important and I cannot stress enough this just transition. But the other thing that we need to bear in mind is a lot of vehicles that come into the Island, I think probably the majority of vehicles imported into the Island recently have been used. We do need to be really careful about how we affect not just the choice of the public when it comes to buying these vehicles but also the motor trades in Jersey that would be really seriously affected if they did not have an ability to sell used vehicles imported from the U.K.

### **13.1.7 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:**

If the policy is to ban importation of new fossil fuel vehicles, many of which are significantly more fuel efficient or low emission than older models, while continuing to allow the importation and use of older second-hand vehicles, will the Minister advise whether he believes the introduction of a formal M.O.T. (Ministry of Transport) or enhanced vehicle roadworthiness and emissions-testing regime should be considered to ensure that older imported used vehicles meet minimum efficiency and emission standards and do not undermine air quality climate objectives that we have?

### **Deputy S.G. Luce:**

Emissions is a very good point to make, and in making a decision about the importation of used vehicles, I did think to myself: "What am I doing instead? I am not doing this. "What am I going to do instead to help with carbon emissions?" Of course the answer currently is the Vehicle Emissions Duty. I know that that particular policy is already working well. People are coming up to me and saying: "I would have liked to have bought a second-hand large vehicle, 4 x 4, or whatever you like, but the cost of the Vehicle Emissions Duty has meant that I have not chosen to do that and I will do something in the alternative." V.E.D. (Vehicle Emissions Duty) is working and it is my belief that it is a system that we could continue to adopt and it is also a system that we could evolve that would do other things for us. Better to use something we have existing, which we just need to modify, in order to get to a goal. The alternative would have been to do the import phase-out ban and to get that to that goal by a different route. What I am intending to do is to get to the same place but not *via* a different route, if you like. It is clear to me that in an Island that is small, like it is when we have pressure on parking spaces and all sorts of other things, allowing people to import smaller vehicles, ones that have far less carbon emissions, is where we should target. It may well be that working with the Treasury means that we can come up with schemes which scare people in the direction that we want to go in, rather than just banning them from importing any vehicles that they want.

### **13.1.8 Deputy H.L. Jeune:**

I thank the Minister for his answer and in maybe expanding that, because it has already been pointed out that there are a lot of already used fossil fuel vehicles in Jersey, does the Minister believe that an introduction of a more formal M.O.T. (Ministry of Transport) or vehicle roadworthy tests would help to increase the efficiency of cars that are also already in Jersey as well to help with that overall goal of air quality and climate objectives? Whether that will then also help reduce the emissions on our transport section as well, not just bringing new used cars into Jersey but those already here?

### **Deputy S.G. Luce:**

There is no doubt that if we introduced annual testing M.O.T.-style for Jersey cars that would give us the ability to make sure that vehicles are not emitting more than they should do. But I am not sure that I would advocate for that. I think we have a really good system in Jersey at the moment where the Honorary Police and the States Police force initiate *ad hoc* road checks without people knowing about it; they can stop vehicles and inspect them there. But of course we do have, I think, the Vienna Convention where we are signed up to do at some point in the relatively near or medium term vehicle testing. Of course we do vehicle testing of commercial vehicles at the moment and the size of the vehicle we test on an annual basis is very slowly reducing. We will get there eventually. But I would not at the moment advocate for a wholesale annual M.O.T. of the Island's fleet. But I certainly think there are many ways at our disposal which we can adopt to make sure that vehicles that should not be on the road are no longer there.

**The Deputy Bailiff:**

We have gone slightly over the period of 15 minutes. I have noted that Deputy Coles had his light on. Are we minded to extend the period for questions by a further 15 minutes? I think the sense is yes ... not unanimous but I think the sense was yes. In that case, Deputy Coles.

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

The Constable of St. Saviour seemed to think that all petrol and diesel cars would disappear in 2030, as he commented about it going fully electric by 2030. But of course that is not the intention within this policy for the phase out of petrol and diesel cars. With that, does the Minister believe that the consultation was clear about the staging that it would have gone through to the point where we would be looking for that transition away from the petrol and diesel cars?

**Deputy S.G. Luce:**

The consultation asked a number of quite complicated and lengthy questions. Some of the answers are going to take quite a bit of understanding. One particular question I believe was misunderstood in the way that most people interpreted the answer and it was very clear that out of a large number of questions that it was a great consensus here. There is one particular question, the answer seemed to go completely against what we thought we were asking. I can only interpret that as the people answering the question just completely missed the question that we were asking, and I apologise for that. But moving forward, could the Deputy just reiterate again certainly what the crux of the question was, please?

**Deputy T.A. Coles:**

It was about whether the consultation document was clear enough for members of the public to fully appreciate the transition away from the fossil fuel vehicles.

**Deputy S.G. Luce:**

I think the answer to that is, yes, they very clearly understood what I was trying to propose. I suspect that is one of the reasons why this consultation I am told has attracted more responses than any one that Government has done so far. Of that very large number of responses percentages were very clear as to the direction of travel that those who responded thought and that has been part of my reason why I have made this early announcement on used vehicles.

**13.1.10 Deputy T.A. Coles:**

Has the Minister considered or would the Minister consider, as he mentioned earlier with the emissions duty and V.E.D.s for the Island, to bring in a cap where we would stop bringing in vehicles of over a certain emission that were not for commercial reasons?

**Deputy S.G. Luce:**

That is certainly something that we could consider. At the moment the vehicles that emit the most pay the most, and in some cases that is a significant amount of money. But I have to say to the Assembly it would appear that also in some cases it does not matter how much we add this duty, it does not seem to deter certain people from importing certain types of vehicles. But I think in the new Government, after the elections, one of the first things that I would certainly encourage the Minister for the Environment to do would be to talk to the Minister for Treasury and Resources about how we are going to replace the fuel duty that we currently have. It will be obvious to everybody that as more electric vehicles come on to our roads, that is less vehicles that will be buying petrol, and in some cases diesel, and that allows less money to go into the Exchequer. That question has to be addressed at some stage. I think very early on in the next Government, how we look at taxing vehicles generally is something that we must do. It may be emissions, it may be on the type of engine. I think we could also maybe consider on the size of the vehicles themselves.

**13.1.11 Deputy A.F. Curtis of St. Clement:**

It is just a quick one. The Minister's statement referred to this being a preliminary, almost a tease of information, and that he would have more in the coming weeks. Could he confirm what timeline the coming weeks means to him and whether that means he will be able to return to this Assembly on the last sitting, 24th March, with a further statement providing more clarity?

**Deputy S.G. Luce:**

I think it is my intention to conclude all the work by 31st March. I think that would allow me to come back to this Assembly if Members felt that necessary. But certainly before the end of March I will have made some definitive decisions on the other questions which still need answering.

**The Deputy Bailiff:**

Any further questions for the Minister? The Constable of St. Saviour, sorry, I did not see you there.

**The Connétable of St. Saviour:**

I am in your blind spot down here.

**The Deputy Bailiff:**

Yes.

**13.1.12 The Connétable of St. Saviour:**

I have often said I need a flare gun or something similar. My question to the Minister is ... I am fully aware of all the implications, by the way, of bringing this in in 2030 or 2035, my question: would the Minister have any idea of the tipping point - he did make a hint towards it there - of how many electric cars need to be on-Island, as opposed to petrol and diesel cars, before consideration will be leaning towards bringing in a vehicle duty or tax reintroduction to cover the expenses of road repairs and such like?

**Deputy S.G. Luce:**

As I said, I think it is going to be for the next Minister for the Environment to sit down and have constructive discussions with the next Minister for Treasury and Resources about how we do that. Obviously the fuel duty goes into the Exchequer, certain other small parts of it goes into the Climate Emergency Fund. But obviously it is a significant income for the general revenue and how we place that into the future is something that needs to be addressed. Cars, whether they are electric or petrol or diesel, still wear out the roads, they still need roads to be resurfaced, they still need traffic lights and signs and all sorts of paraphernalia which costs Government money. I think that income needs to be safeguarded one way or the other.

**13.1.13 Deputy M. Tadier:**

Is there a risk in his statement that when the Minister talks about a just transition he is hiding behind the just transition for doing nothing?

[15:15]

Is what he is proposing here forgetting the transition part? Because of course justice is important, social and economic justice is important, but the transition part is also important. How does he propose to get Jersey people in a position where they can afford to buy electric vehicles? What kind of Government intervention will he be proposing to assist members of our community of all economic backgrounds to be able to transition justly?

**Deputy S.G. Luce:**

I think it is there for Members to look at if they care to look through car sale sites that the cost of electric vehicles is coming down and is, in some cases, now comparable with petrol and diesel vehicles. The ability for somebody to buy a new vehicle like that would probably not make a huge amount of difference when it comes to electric or otherwise. But I think the Deputy hints at are we doing nothing. In many ways we are because we are not going to adopt a new law to phase out used vehicles coming into the Island. But, as I have said, I would like to address what that would have done by looking at what we have already, which is Vehicle Emissions Duty. Instead of saying you cannot bring used vehicles into the Island wholesale, we are going to say if you want to bring that particular used vehicle into the Island you will have to pay additionally on top of the purchase price. There will be a Vehicle Emissions Duty, there may well be something else by the time we get to 2032, 2033, 2035; I do not know. I think it is important to come up with mechanisms to steer the public of the Island in certain directions. Certainly the Deputy asked about the ability for people to buy electric vehicles and in the last couple of years we have had schemes to incentivise that; grant schemes which were extremely popular. More than ½ the vehicles bought on the grant scheme were used vehicles. I think it is important to say that it is not just new electric vehicles, it is used electric vehicles as well. It may well be that the next Minister for the Environment seeks to use some of this money from the Climate Emergency Fund to go back in and re-engage with the grant scheme, which help people to buy electric vehicles.

**13.1.14 Deputy M. Tadier:**

Does the Minister accept that Vehicle Emissions Duty on a polluting vehicle is very much a stick and not a carrot? Hitting someone with large fees for bringing in a polluting vehicle does not stop the pollution happening and it also does not help with the cost-of-living crisis because it just means that the person bringing it in is having to pay more to bring that vehicle in.

**Deputy S.G. Luce:**

Absolutely, I do not make any apology for that. The whole idea is to try to steer people away from buying large vehicles that emit a lot of carbon, when they could be buying maybe smaller vehicles that do not burn a lot of carbon. The whole idea of this is to reduce carbon. I accept that there will be criticism whichever scheme you do. But it just seems to me that legislating in a way that stops all used vehicles into the Island is particularly extreme and that there will be ways to help those that cannot afford an expensive vehicle by saying to them: “Here is the ability to buy a used vehicle. It might be a bit smaller than you would like. It may not have such a large engine as you would like, but we are not going to make it overly expensive for you to do that. Whereas if you really, really want to have a large vehicle with lots of seats and a huge engine, you will have to pay to do that.” This is why schemes like V.E.D. are invented, to try to help. You can have the argument over whether it is a carrot or a stick and maybe it is a stick. If you buy a very big vehicle with a very large engine, I suppose the stick is just that little bit bigger.

**13.1.15 Deputy J. Renouf:**

In respect of delaying the second-hand, the ban on importing used cars, I think there is pragmatic case to be made for that. I see the argument and accept it. But does the Minister agree that the risks around continually delaying, particularly, say, the new used car mandate are that an industry which is reluctant to embrace this change may continually feel that the best option they have is to continue to resist the transition to electric vehicles, rather than to encourage it and embrace it and that that is the risk that if he, in particular, delays the introduction of the ban on new petrol vehicles?

**Deputy S.G. Luce:**

I take the Deputy's thoughts on board and in some ways he might be right. But, as I said earlier, I view the Island as sort of a franchise, if you like, of the U.K. industry. If manufacturers decide to produce hybrids and all electric and continue to produce petrol vehicles, those will be available in Jersey if they are available in the U.K. Similarly, if they decide to stop producing petrol vehicles in the U.K. it is hugely unlikely that those petrol vehicles will be available in Jersey. I feel that there is a way through this and it will be driven by the U.K. and, in an indirect way, by the European Union and countries like France that are pushing. Every time a country pushes a ban out or a phase out a little further out it will mean the vehicles are available for those people who live in France or in Europe or in the U.K. for a little bit longer. I think it is right that we allow Jersey residents to have that choice, given that it already costs an increasing amount of money to get those vehicles to Jersey on top of the price that they would pay ex-V.A.T. (value added tax) in the U.K.

**13.1.16 Deputy J. Renouf:**

As I say, I have accepted the point about the used cars. The point about new vehicles is that they will come in and have a very long lifespan, typically 200,000 miles in Jersey; that is at least 20 years for an average car. If you extrapolate that, if you continue to allow the imported new petrol cars, diesel cars after 2030, you will inevitably have a coterie of vehicles with a lifespan that extends well beyond the 2050 deadline. Will the Minister bear this in mind when he reaches his final decision around the parameters of his new policy with regard to new vehicles in the future?

**Deputy S.G. Luce:**

Yes, I will. But I would say somebody who likes his cars and who has had more than a few in the past, I am yet to find a vehicle that has done 200,000 miles in Jersey. I have got some myself which have done 120,000 but I cannot see them ever getting to 200,000. But I would just stress one thing, you might own a vehicle now, it would be a used vehicle, and if there is no option to replace it with another used vehicle in 2030 it might be you hang on to it. You keep running it, whereas maybe it should be a vehicle which should be traded in and scrapped and replaced with a slightly newer used vehicle. Allowing us to continue to buy used vehicles I think allows people to move, albeit a little bit more slowly, but allows people to move to better vehicles which emit less, which have more efficient engines, and so I think it is important. But getting on to the new vehicles that the Deputy mentioned, there would be a lot of work and if we decide to go down that road there will be a lot of work to do to define a new vehicle. Is a new vehicle a vehicle that is one week after manufacture a vehicle which has never been sold? Is a new vehicle which is sitting on a forecourt in a Jersey garage for 9 months before it sold; is that a new vehicle? Lots of questions to answer, lots of things to consider before the final decision is taken.

**The Deputy Bailiff:**

That brings to an end the extended period for questions of the Minister in relation to his statement. Before we get to Public Business, Chief Minister, Deputy Renouf raised a point of order in relation to your answer to Written Question 18 and a point of order was under Standing Order 12(2A) that: "A Member who gives a written answer to a question must give an answer that is directly relevant to the question asked." Chief Minister, your answer was 2 lines in relation to the 2 questions asked by Deputy Renouf. They were directly relevant to the answer but they simply said that you would be

collecting the answers to his questions. The answers are deficient and I think you acknowledge that and you were going to provide further answers. Chief Minister, if I can go beyond that, because we are due to debate a proposition on 2(1)(e) applications towards the end of this sitting, may I ask that you provide the answers by no later than 9.30 on Thursday morning?

**Deputy L.J. Farnham:**

If I may respond. Of course the 10 years we have provided were taken somewhat in the context of the discourse we have been having on this issue over the past 10 years. But the challenge is past that time the data becomes somewhat harder to collate and assimilate accurately. It is very time consuming to go back because once you start going past a certain time we get into paper records. We could perhaps possibly when digging around go back as far as 1974 when the scheme started but that would consume considerable resources and time. However, I have asked officials to get as much information as we can as soon as possible to assist with the debate. I do apologise, Sir.

**PUBLIC BUSINESS**

**The Deputy Bailiff:**

Thank you, Chief Minister. Before we get to public business, Deputy Ahier, as chair of P.P.C., Deputy Ozouf was marked *malade* this morning, how do you propose to deal with your proposition that time be reduced for the lodging of your proposition?

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

Considering the circumstances that have arisen, we would like not to propose the shortening of the lodging period and would request that it is debated on 10th March as the first item.

**The Deputy Bailiff:**

Are Members content with that?

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

Sir, could I ask a couple of points of clarification on that, is that OK?

**The Deputy Bailiff:**

Yes.

**Deputy S.Y. Mézec:**

I wanted to ask 2 things, firstly, that this does not set a precedent that a suspension motion could not be debated with a States Member not present because that would give rise to all sorts of difficulties, depending on circumstances why a suspension is proposed and cause a loophole there. I wonder if I could have clarification that we are not setting a precedent in doing that. The second thing to clarify would be that the States Assembly is due to still sit for a few more days and what would happen if the Member returned in those days? Would we be able to commence at that point? Would we have the option to do that?

**The Deputy Bailiff:**

Deputy Ahier, would you wish to respond on those 2 questions on behalf of P.P.C.?

**Deputy S.M. Ahier:**

On the first point, no, we are not setting a precedent in any sense. These are unusual circumstances and it was determined by P.P.C. that we would take this course of action if we were advised that Deputy Ozouf was not going to present for this week, but that refers partly as well to the Deputy's second question about if he returned during this sitting, but I think that would be a matter for you as to whether we could reduce the lodging period if he turned up at a later date.

**The Deputy Bailiff:**

I think it requires you to make a proposition to reduce the lodging period if the Deputy were to return tomorrow, for example. In those circumstances, if you bring the matter back.

**Deputy S.M. Ahier:**

Yes, indeed. If that was the circumstance then we would propose to shorten the lodging period again.

**The Deputy Bailiff:**

That is noted. Deputy Tadier, did you have a question?

**Deputy M. Tadier of St. Brelade:**

I do. Just so I have got the format right, are we effectively in a short debate here which Deputy Ahier can respond to? It would probably be better to do that rather than having him answer lots of questions in succession.

**The Deputy Bailiff:**

Very well. I have not seen any other lights on but ...

**Deputy M. Tadier:**

It was not a criticism, I am just saying in case we get into that format accidentally. I am content with what the chair of our committee is proposing here, but I think, like Deputy Mézec, we have to be very careful. I think the only legitimate reason that we are not debating it today is because it has not been lodged for the requisite time. It should not be possible for any Member of this Assembly who is facing a sanction in future, or even now, to get around facing that sanction simply by either being *en défaut* or even *malade*. So what I am asking of our chair is that he can confirm that this will be debated on the 10th March sitting. It is not a matter for the chair, Sir, with respect; it is a matter for the Assembly and for the P.P.C. chair to move it. Even if in the unfortunate circumstance that Deputy Ozouf is not here because he is *malade* or *en défaut*, it will need to be debated because we are so close to the end of a term that it should not be possible for somebody to constantly just avoid facing that sanction by not being in the Assembly. Could the chair confirm that is his understanding when he sums up? Otherwise I will have to vote to reduce the lodging period for us to debate it today, unless there can be a guarantee that he will move it on 10th March, irrespective of whether Deputy Ozouf is here to answer or not.

**The Deputy Bailiff:**

Are there any further questions for the chair of P.P.C.?

[15:30]

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

Arising out of what Deputy Tadier has just asked, surely it is the case that under H.R. (human resources) procedure, were the Member employed and were not present because they were ill - only because they were ill, so *malade* in this case - that would be a legitimate reason not to continue with a sanction. That is really the opposite view or point that Deputy Tadier is making.

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

Responding to what was just said, we tend to raise H.R. concerns when we talk around these issues. We are in a very distinct position in this Assembly. The problem is that we do not have appropriate H.R. conditions for our employment because we are employed in a unique way and rely upon the Privileges and Procedures Committee to effectively make things up as we go, as we have had to do in this situation. That is not casting aspersions; it is the opposite. It is recognising the difficulty it has been for P.P.C. in this because the rules behind it are simply not clear enough. I think we do

need to make a decision on this. We have been reassured that should the Member return then we will debate it and if not it will be debated at the next sitting. As long as that is confirmed then I am fine with that.

**The Deputy Bailiff:**

The chair of P.P.C. has given those confirmations. Does any other Member wish to raise a question for the chair before he replies?

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

Could I just ask the chair of P.P.C. to confirm whether the 28 day suspension starts from the date of the debate, should it be accepted, or does it start from today?

**The Deputy Bailiff:**

I do not think it can start from today because we have not debated it. I think it must start - if it is approved - from the day that it is approved. Chair of P.P.C., do you want to expand on any of those points in answers?

**Deputy S.M. Ahier:**

Yes, obviously to reiterate. As Deputy Tadier said, it was not lodged in the required time so the whole purpose of my deferral is so that it will be lodged at the right time and debated on 10th March. I have no intention of preventing it from being debated on 10th March, and Deputy Tadier is correct that it is a matter for the Assembly whether they determine that they should shorten the lodging period, but I am requesting that it is not shortened. Deputy Gorst mentioned employment; obviously Members are not technically employed so we do not come under the remit of the S.E.B. (States Employment Board) or anything, as I am sure the Deputy does not need to assure him. The Constable of St. Brelade, in regard to the 28 days, yes, absolutely. If we would have debated it today then the 28 days would start today, even though Deputy Ozouf would not be in the Assembly this week. It will start on 10th March and it will be for 28 days from that day, which will take us to purdah at the end of the term. With that clarification I ...

**The Deputy Bailiff:**

You are not bringing a proposition to reduce the lodging period?

**Deputy S.M. Ahier:**

I am not, thank you.

**The Deputy Bailiff:**

Very well. On that basis then I think we have dealt with the proposition concerning Deputy Ozouf for the time being, and then we can finally move on to Public Business. **[Laughter]** Apologies, I was about to move to Public Business but, Minister, did you have a ...

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

It is Public Business really. Members will have seen an email from me about deferring P.112, the Alcohol Licensing Law, and I just wondered if we wanted to do that before moving into actual debate, and kind of square off the admin side of our session.

**The Deputy Bailiff:**

For the benefit of those who have not received that email ...

**Deputy K.F. Morel:**

Sorry, Sir, I believe we have to vote on it because we are in the Second Reading at the moment.

**The Deputy Bailiff:**

We could do that now then. Minister, the proposition is what?

**Deputy K.F. Morel:**

The proposition is to defer P.112/2025 the Draft Alcohol Licensing (Jersey) Law, the debate of the Second Reading, to the 10th March session. The reason I have asked is the Scrutiny Panel have very politely asked - in order for them to complete their scrutiny - for the deferral to that date. I ask Members to support that.

**The Deputy Bailiff:**

Is the proposition seconded? **[Seconded]** The proposition is to defer the Draft Alcohol Licensing (Jersey) Law to the next sitting on 10th March. Would Members in favour of the proposition kindly show?

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

I wanted to speak, Sir, apologies. **[Laughter]** All I was going to say was I just want to recognise that this moves more into the last 2 sittings and, therefore, if there is anything that can be moved into this sitting from any Minister I wanted to say perhaps as an Assembly we should be very accepting of that. It might be a really good idea. That is all I was trying to say, thank you.

**Deputy M. Tadier of St. Brelade:**

Sir, I admire your attempt at having an efficiency drive. **[Laughter]**

**The Deputy Bailiff:**

It did not get very far.

**Deputy M. Tadier:**

It is probably long overdue, but the wheels of this Assembly do move very slowly, as we know. I just want to thank the Minister for agreeing to this deferral. I think it is beneficial for all of us really, and to assure the Assembly that we are very much in the process of a formal Scrutiny review, albeit a short one. Yesterday we had the Comité in to talk to us, we had the Minister and the regulatory directorate who are currently under the Minister's proposals an integral part of what is being proposed, and we do have one scheduled hearing later this week as well. So the Scrutiny Panel is working in short order to make sure that we have something of value to add to the debate when it does come back on 10th March. I am happy to support this deferral.

**The Deputy Bailiff:**

Does any other Member wish to speak on the proposition? Minister, do you wish to reply? In that case the proposition is to defer the Alcohol Licensing Law to 10th March. Would Members in favour of the proposition kindly show. The proposition is adopted.

**14. Draft Assisted Dying (Jersey) Law (P.65/2025) - Second Reading**

**The Deputy Bailiff:**

Then I think we can now finally - at risk of jinxing it - move on to Public Business. The first item of Public Business is the Draft Assisted Dying (Jersey) Law, which has been lodged by the Council of Ministers. The main respondent is the chair of the Assisted Dying Review Panel. Members will recall that the principles of the draft law were adopted by the Assembly on 26th November 2025. In accordance with Standing Order 72 the States agreed to continue consideration of the draft law at the meeting today, and Members will have seen that the draft law has 102 Articles and 3 schedules. We have a running order that has been prepared by the Greffier and her team, and there are 9 amendments to the Articles and the schedules of the draft law, which have been lodged. One amendment, which is the second amendment by the Minister, can be divided into 10 discrete sections, which are sections

A to J. Now, I believe all Members will have had a copy of the running order, but if any Member has not, please could they shout now.

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

I just wonder if we could have a paper copy. For once, a paper copy would be really helpful. Unless some have got them, I might have missed it.

**The Deputy Bailiff:**

Yes, well if any other Member wishes to have a paper copy ... perhaps paper copies could be circulated. Let us not delay the debate further but let us get paper copies to those who need or want them during the course of the debate. So before we consider the amendments the Minister for Health and Social Services will need to propose the Articles of the law. Minister, do you propose the Articles?

**14.1 Deputy T.J.A. Binet (The Minister for Health and Social Services):**

Yes.

**The Deputy Bailiff:**

Are the Articles seconded? [Seconded]

**14.2 Draft Assisted Dying (Jersey) Law (P.65/2025): second amendment (P. 65/2025 Amd.(2))**

**The Deputy Bailiff:**

Minister, how do you wish to propose the Articles for debate?

**Deputy T.J.A. Binet:**

When you say how do I wish to propose them, Sir?

**The Deputy Bailiff:**

Yes, would you like to take them *en bloc*, because the Greffier has assumed that they will be taken *en bloc*.

**Deputy T.J.A. Binet:**

Indeed, yes.

**The Deputy Bailiff:**

Yes, so the Articles will be taken *en bloc*. So the running order that has been prepared provides a summary of each amendment, and highlights where there are any knock-on effects of adopting a subsequent amendment. The Greffier has prepared this running order in accordance with Standing Orders. The first amendment is sections A and B of the second amendment. I am going to take this slowly because this is quite complicated and it is obviously a very important subject. Minister, I invite you to propose ... Greffier, please would you read the sections A and B of the second amendment, which has been lodged by the Minister for Health and Social Services.

**The Deputy Greffier of the States:**

Page 131, Article 1, (1) In Article 1, in the definition “close relative”, sub-paragraph (b), for “with whom they live as” substitute “who is their”. (2) In Article 1, for the definition “employment” substitute - “employment” - (a) has the meaning given in the Employment (Jersey) Law 2003, including as affected by Article 1A of that Law; (b) for a natural person to whom Article 1(2)(a) and (c) of that Law apply (where they are supplied by an agent to do work for a principal), includes both - (i) their relationship with the agent; and (ii) their relationship with the principal; and (c) includes prospective employment.

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

Sir, may I raise a point of order?

**The Deputy Bailiff:**

Yes, Deputy Bailhache.

**Deputy Sir P.M. Bailhache:**

The point of order - and I hope I am not being pedantic - but in my copy of the second amendment I have 1, 2, 3, 4 and so on. I do not have sections A and B. May I just assume that sections A and B are 1 and 2, because those are the ones that have just been read out? We are using alphanumeric things rather than numerical ones?

**The Deputy Bailiff:**

Yes, I believe - but the Greffier will correct me if I am wrong - that the references to sections follow the references that have been set out in the accompanying report to the Minister's amendment. If everyone looks at page 6, which contains the report to the Minister's amendment, further away from the bottom of the page we see: "Section A: Definition of a 'close relative'." That is amendment 1 and then we see at the bottom of page 7, section B. The heading is: "Definition of 'employee'", and that is also amendment 1. We are dealing with those 2 amendments which together ...

**Deputy Sir P.M. Bailhache:**

I have got it, Sir. Thank you very much.

**The Deputy Bailiff:**

It will follow the same format as we go through the second amendment. Unless there are any other questions from Members, then Minister, I invite you to propose sections A and B of your second amendment to the Assisted Dying Law.

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

I have to confess to have started on the wrong foot. I had expected to read quite an extensive introductory speech, but I am very ...

**The Deputy Bailiff:**

I am sorry. Then please ...

**Deputy T.J.A. Binet:**

No, I am very happy ... it is going to be quite a long debate and if people want to be spared that, I am quite happy to, but I not sure whether ...

**The Deputy Bailiff:**

If you wish to include any more general remarks by way of preface, then ...

**Deputy T.J.A. Binet:**

I am happy not to, but I do not know whether people want me to summarise where we are, where we have got to. I do not know, Sir.

**The Deputy Bailiff:**

I think we can leave it with you, Minister, if you wish to include any more general remarks. That is a matter for you, but otherwise, you can just propose sections A and B of your second amendment.

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

If everybody is happy to keep running, I am happy to run with that. As you know, the Council of Ministers lodged the draft law on 2nd September 2025, almost 6 months ago. This extended lodging period has provided valuable time for additional examination and full scrutiny of the draft law. As a result, Deputy Ward and the Assisted Dying Review Panel have brought forward amendments which seek to change some of the provisions of the draft law, and I have brought forward an amendment which seeks to make a number of clarifications. Before I talk on the first part of that amendment, I would like to thank the Assisted Dying Review Panel and their expert advisers for the work they have done. My clarifying amendment is in large part as a result of their efforts.

[15:45]

It is also in response to comments received from the Jersey Care Commission and key U.K. bodies, including the General Medical Council and the British Medical Association, and I thank them for their continued engagement. Before I explain the first part of my amendment, I want to be absolutely clear from the outset, nothing in any part of my amendment - that is the whole of that amendment - changes policy. I simply seek to ensure that the draft law accurately and clearly expresses the intent already agreed by this Assembly through the 2 previous decisions, P.95/2021 and P.18/2024. To the first part of my amendment and our first vote. Following feedback from the panel, I seek to amend the definition of “close relative” to also include partners in an enduring relationship who do not live in the same household; for example, where one lives in a care home as well as those who do. This helps clarify who can and who cannot act as a witness in an individual’s second request for an assisted death at step 4 and clarifies the relationships and potential conflicts of interest that assisted dying professionals must disclose. Now to the definition of an “employee”. Following discussion with the British Medical Association, I seek to amend the definition of “employee” to explicitly include agency workers. Doing so will ensure that agency workers are afforded the same employment protections as healthcare professionals on contracts of employment or service if they refuse to participate in assisted dying, or conversely, they choose not to participate. The first part of my amendment does not alter any policy, expand eligibility, or interfere with the principles of the draft law. It only serves to reduce the risk of any possible ambiguity once the law is operational thereby strengthening safeguards, transparency, and accountability. I commend this part of the amendment to the Assembly and I ask Members support.

**The Deputy Bailiff:**

Are sections A and B of the second amendment seconded? **[Seconded]** Does any Member wish to speak on sections A and B of the second amendment?

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

I want to thank the Minister for taking this point on board, which I spotted when reading through the law and brought to my panel for consideration, the reasons being that, of course, many people who are in relationships do not live together and should still fall under that definition. Of course, many Islanders who may be wishing to access the assisted dying service may indeed be residing in a clinical setting at that point and not residing with their partner. I thank the Minister for covering that aspect and I hope that the Assembly will support this.

**The Deputy Bailiff:**

Does any other Member wish to speak on sections A and B of the second amendment? If no other Member wishes to speak then I close the debate and I call on the Minister to reply.

**14.2.3 Deputy T.J.A. Binet:**

Could we just call for the appel, if that is possible?

**The Deputy Bailiff:**

The Minister has called for the appel. Members have the opportunity to resume their seats, if any of them are out of the Chamber, and I call upon the Greffier to open the voting. If all Members have now cast their votes, I ask the Greffier to close the voting. I can announce that the amendment has been adopted:

| <b>POUR: 36</b>             |  | <b>CONTRE: 5</b>           |  | <b>ABSTAINED: 0</b> |
|-----------------------------|--|----------------------------|--|---------------------|
| Connétable of St. Helier    |  | Connétable of St. Lawrence |  |                     |
| Connétable of St. Martin    |  | Connétable of St. Brelade  |  |                     |
| Connétable of St. John      |  | Connétable of Trinity      |  |                     |
| Connétable of St. Clement   |  | Deputy Sir P.M. Bailhache  |  |                     |
| Connétable of Grouville     |  | Deputy B. Ward             |  |                     |
| Connétable of St. Ouen      |  |                            |  |                     |
| Connétable of St. Mary      |  |                            |  |                     |
| Connétable of St. Saviour   |  |                            |  |                     |
| Deputy G.P. Southern        |  |                            |  |                     |
| 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 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 A. Howell            |  |                            |  |                     |
| Deputy T.J.A. Binet         |  |                            |  |                     |

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|--------------------------|--|--|--|--|
| Deputy M.R. Ferey        |  |  |  |  |
| Deputy R.S. Kovacs       |  |  |  |  |
| Deputy A.F. Curtis       |  |  |  |  |
| Deputy L.K.F. Stephenson |  |  |  |  |

**14.3 Draft Assisted Dying (Jersey) Law 202- (P.65/2025): third amendment (P.65/2025 Amd.(3)).**

**The Deputy Bailiff:**

In that case we move on to the third amendment, which is proposed and has been lodged by the chair of the Assisted Dying Review Panel, and I ask the Greffier to read the third amendment.

**The Deputy Greffier of the States:**

Page 137, Article 3 - (1) Before Article 3(3)(a) insert - (a) that, if they request assisted dying and their request is approved, the approved drugs are expected to be administered to the individual - (i) by the individual themselves if they are physically able to do so (even if equipment or other support is required); or (ii) by the administering practitioner otherwise; (2) Renumber existing Article 3(3)(a) and (b) and cross-references accordingly. 2. Page 143, Article 8 - (1) For Article 8(2)(b) substitute - (b) the equipment and other support available to enable the individual to administer the approved drugs to themselves; (2) For Article 8(2)(d) substitute - (d) any risks of how the approved drugs are administered; (3) In Article 8(2)(g)(i), after “assisted death” insert “if they lose consciousness after the initial administration of the approved drugs”. (4) Delete Article 8(4)(a)(ii). (5) For Article 8(4)(b) substitute - (b) that the approved drugs are expected to be administered to the individual - (i) by the individual themselves if they are physically able to do so (even if equipment or other support is required); or (ii) by the administering practitioner otherwise. (6) Renumber Article 8(4)(a)(iii) and cross-references accordingly. 3. Page 146, Article 10 - (1) After Article 10(1)(b) insert - (c) may initially administer the approved drugs themselves only if the individual is not physically able to do so (even with the equipment and other support that is available); and (2) Delete Article 10(1)(d). (3) After Article 10(1) insert - (2) If the individual’s death does not result from the initial administration of the approved drugs in compliance with the care plan (so far as reasonably practicable), the administering practitioner may - (a) in the circumstances described in paragraph (3) - (i) arrange for the prescriber to change which approved drugs are prescribed for the assisted death under Article 34(2); (ii) arrange for the administration of the approved drugs in a different way (such as swallowing or injection); or (iii) arrange for the administration of more approved drugs; (b) in the circumstances described in paragraph (3)(a) or (c), administer the approved drugs to the individual; or (c) in the circumstances described in paragraph (3)(b) and in which the individual is not physically able to administer the approved drugs to themselves (even with the equipment and other support that is available), administer the approved drugs to the individual. (4) In existing Article ... (5) For existing Article 10(2)(a) substitute - (a) the individual has lost consciousness and has (at step 6) given consent to the continued carrying out of the assisted death if they lose consciousness after the initial administration of the approved drugs (at step 7); and (6) Renumber existing Article 10(1)(c) and (2) to (4) and cross-references accordingly. 4. Page 181, Article 78 - (1) After Article 78(2) insert - (3) The Service must, to the greatest extent that is reasonably practicable, provide all available equipment and other support to enable individuals to administer the approved drugs to themselves. (2) Renumber existing Articles 78(3) and (4) and cross-references accordingly.

**The Deputy Bailiff:**

I invite the chair to propose the third amendment.

### **14.3.1 Deputy L.M.C. Doublet of St. Saviour (Chair, Assisted Dying Review Panel):**

I do not envy the administrative tasks upon you today. This is a very complicated piece of legislation to get through. This is the panel's third amendment and what it does is proposes a tiered and safeguarded framework for how assisted dying might be administered in Jersey. I want to emphasise to Members that this issue that we are going to be debating today is a matter of conscience and, indeed, it is one of the finer points about how the service might work in practice. I very much urge Members to really give the ethical considerations attention today. This amendment briefly would make self-administration the default model, so administering the drugs to oneself, and practitioner or doctor administration would only be permitted where an individual is physically unable to administer the substance themselves, even with any adaptations or medical support. Our intention with this amendment is to introduce a final and most robust safeguard against coercion while also preserving bodily autonomy at the final stage. I will detail what the amendment would do if it were adopted. The current draft law allows equal access to both self-administration and practitioner administration, so it means that the individual can indicate what their choice might be, whether to administer the drugs to themselves or whether they would like their doctor to do that for them. If this amendment is adopted, it would change that and would restructure the law so that there would be 3 stages. Every eligible person to access the assisted dying service would be enabled to self-administer the substance and the Minister would be required to provide all medical equipment, any adaptations, any support to make that self-administration possible. That is something that is written into the amendment and that would apply even for those who have reduced physical capability. I will go into that in more detail later on in my speech. Practitioner administration would only be permitted and would only be accessible where self-administration is just not physically possible despite any and all adaptations that have been offered. This does ensure that nobody would be excluded from accessing the assisted dying service because of their physical condition but also that the final act would remain, wherever it is physically possible, carried out by the individual themselves. It is a balancing amendment really. I will talk about some of the evidence that the panel have considered in this area. We heard from the Minister that this model was chosen because of the previous consultation. It was shaped by the ethical review, and that there was public preference for choice between the 2 modes of administration, that people did want to have that choice for their doctor to administer a substance to them. However, the panel also heard, and we had some representations, that there is a very distinct ethical difference between assisted suicide and euthanasia. We spent some time talking about this because it is very difficult to define what assisted suicide is and what euthanasia is, but generally my understanding of it is that assisted suicide is something that is an autonomous act that somebody might have assistance with whereas euthanasia is a practitioner performing the act. The proposed law, as it stands at the moment, does, in effect, permit both assisted suicide and euthanasia. Previous Ministers and the current Council of Ministers have accepted both of these in principle but our expert advisers reminded us that the 2023 ethical review did identify some arguments both for and against these 2 administration models. There was very much a weighing up of ethics on both sides of this when we went through the process of deciding whether to lodge this as a panel. That ethical review stated that if those arguments were weighed up and balanced, that self-administration could be put in place as the default with that allowance for practitioner administration only in exceptional cases. That emerged to the panel as that balance and that compromise. Why are we lodging this? I think the ultimate conclusion that the panel came to was that it would further strengthen safeguarding in the assisted dying service. We identified that practitioner administration carries some higher risks in relation to coercion because it is transferring that final act to a third party. We looked at evidence from other jurisdictions which suggests that practitioner administration tends to increase over time. Deputy Renouf asked me about this and I apologised, I was not able to answer at the time, but I have considered this very carefully and I hope that my proposing speech will cover it. If not, I am happy to take further points during Members' speeches to provide any further clarification. If we put ourselves in the shoes of a clinician who has been asked to administer the substance, they might find

themselves facing some ethical difficulties with that at the point of administration so there is greater risk there of having that burden on the clinician of that ethical difficulty. Fewer people withdraw from the assisted dying process once a practitioner is responsible for administering the medication, once the person has chosen for the doctor to administer it. Some of the evidence that we looked at pointed to evidence of authority bias.

[16:00]

This is a well-established psychological phenomenon where people are more likely to comply with, or trust or agree with, someone perceived as an authority figure, such as a doctor, simply because of their position. It is sometimes called the white coat effect. This could show up in healthcare contexts as patients deferring to a doctor's suggestion and feeling unable to challenge a doctor. Of course, this is not something that anybody would want at this stage in the assisted dying process. In contrast, self-administration is that deliberate and autonomous act. The panel feels it offers the strongest possible assurance that the decision of the individual who is accessing the assisted dying service, that their decision is voluntary and that it is most current and that it is safeguarded against coercion. It also strengthens personal agency and dignity because the individual is able to choose the exact, precise moment for the act to take place. We looked at other jurisdictions and in Australia - in Victoria specifically - they have a very similar model in their legislation. There, practitioner administration is allowed only where a person is physically unable to self-administer. To give Members some context about what that looks like. In the 2024-2025 year, 492 permits were for self-administration and 142 were for practitioner administration. It is clear from that example that there is a reasonable use of that tiered approach where people cannot physically self-administer, that those options are being accessed. We also considered some evidence - this is anecdotal evidence looking at Dignitas in Switzerland, I believe - where only self-administration is permitted. That is written into their law, and many adaptive methods are used successfully there. Again, this was something that we considered at length with our advisers and we were very grateful for their expertise in this case because what they did is answer multiple questions from panel members about what this might look like if somebody had varying levels of physical ability, such as being able to move only their limbs or not being able to swallow. Our advisers reassured us that the medical adaptations and the medical equipment that is available is extensive and there are many pieces of equipment that can be used to help people who are not physically able to take a drink or to apply pressure to press a button to administer something through an I.V. (intravenous therapy). They even described where if a patient could still just move their head slightly that there was a device that could be connected to a cushion that the patient could just lean their head against and then that would be able to be linked to an I.V. for administration. We found that whole process really reassuring in that there were lots of medical adaptations that were accessible to make this practicable, possible and not too difficult, and that even where self-administration is happening and that ultimate final decision and the pressing of a button or the drinking of a drink is performed by the patient, that the doctors are still there for support. They would still be there to prepare the substance or to put an I.V. into somebody's arm so that they could then attach it to the button, that there would still be a doctor's support, that people would not just be left. They would not be abandoned to do it on their own. Why retain the word "physically"? This is another aspect that we considered. Sorry, Sir, I have done a lot of speaking today and my throat is suffering a little bit. We did explore whether the word "physically" should be removed to allow practitioner administration where a person is psychologically or emotionally unable to administer. This, for me, was the one that kept me up at night thinking about this one and whether that was the right thing to do. In the end, we concluded that removing that word would create too much ambiguity, but what I would say is that I think this is something that should be considered. If this amendment is accepted, I think the examination of that word and perhaps of the psychological or emotional difficulties should be considered as part of the Minister's planned review of the service. Again, we looked back to the Victorian model and we found that in that model, they do have the word "physically" in there so that you have to be physically unable to self-administer if you want to

access a practitioner. That example of Victoria underlined much of the evidence that we had been considering. It directly expresses the autonomy of the individual and creates the strongest possible safeguard. I think one of panel members described it as the ultimate safeguard, and that was something that really resonated with me. We also considered evidence that pointed to self-administration as the default strengthening public confidence in the service knowing that that was the default model, that people were taking autonomous steps themselves generally would strengthen public confidence and also professional confidence in the service. The Minister has published some comments to the amendment, and he has defended his original policy intention, but the panel remain certain that having weighed this up that we feel this is the right thing that we would like to present to the Assembly for consideration, that it does reinforce bodily autonomy at the final step. This matters ethically and practically. It gives the clearest expression of personal agency and consent, and it is that final proportionate safeguard. The medical equipment that might be necessary for self-administration in various different scenarios, we are confident that that equipment exists and that it would be reasonable for the Minister to supply that equipment, which is why that is written into the law. We think that this slightly more cautious, proportionate approach is one that is best for Jersey at this point, and Jersey could review and evolve the approach in future once the service has launched. I will reiterate again that we felt in terms of well-being of the doctors, this was also best for the doctors as well. I will conclude, and the panel does acknowledge the Minister's arguments on choice and engagement and international evidence, but having considered all of that and weighed it up against the evidence that we have found, we do consider that on balance the autonomy of the final act and a final safeguard against coercion, the clarity for patients and the consideration of clinicians, that that must carry greater weight. We therefore invite Members to support this. I am interested to hear what Members have to say about this, and I am happy to answer any questions in my summing up. I propose the amendment.

**The Deputy Bailiff:**

Is the third amendment seconded? **[Seconded]** Does any Member wish to speak on the third amendment?

**14.3.2 Deputy M.R. Scott of St. Brelade:**

This amendment to some extent is, in my mind, not that different from the amendment that Deputy Ward is bringing because, to some extent, it is really talking about the patient having an element of consciousness in order to proceed with a choice. Having thought about this quite carefully, and I suppose many Members will be thinking about personal experiences, I am sure. One of the questions for me in terms of why would anybody even go through this procedure is it might well come down to what is the meaning of life for them. For some people that is the quality of their existence. If they really feel that life is not worth living, then they do not consider that they have a life. Now, many of us will say: "Well, you can change your view. You can change your meaning." But, of course, that is perhaps not so easy when you really have a terminal illness, and it is not going to change. For others, it is consciousness itself, that your experience in life no longer has meaning if you do not have consciousness. There comes a point in the journey of life for many where life is no longer a state of real consciousness and there may well be reasons for that. It may be that you are in pain and that the level of drugs that are being administered to you have got to the point where you cannot be conscious or else you are in pain and you will get care, but you will not be conscious. For that point, for some people, life has no meaning for them anyway and others it could well be a state of deterioration. At that point you are being kept alive and you are unaware of the family by your bedside, perhaps, who are waiting. I guess the whole approach of different people, even cultures in terms of those final moments, may well differ but I have certainly had family members, and certainly of the Chinese part of my family, gather round we will not leave that person's bedside until they have slipped away, and then maybe it is protectiveness. Maybe we just do not want them to be alone. Maybe that person just would not want us to be hanging around. They might want us to be getting on with our own

lives. What this law is doing is giving that person that choice, and I guess for the family it can be quite difficult. To maintain a bedside vigil, sometimes you fail. Sometimes there is a reason why you have got to leave. It can be quite devastating if, whether you have just had to go out for a moment, you need sleep, whatever, and the person has gone by the time you have got back. I guess that one reason why somebody might well choose to do this, so let us say I expect that at some point I am no longer going to be conscious and at this point I just think that is the time I should leave and I will choose a date. From my perspective, and I have asked questions about this law because if you are thinking about that life is a state of consciousness, maybe ideally you might say to practitioners ... you might have a law that says: "At that point where I lose consciousness and it is pretty certain that I cannot come back from this, I am going to be in really deep pain, I just cannot come back, at that point, if you do not mind, this is my choice, just give me that lethal dose and even though I cannot administer it myself that is what I would like you to do. That is my choice." This law does not enable anyone to do that. This law says you have to choose a date. So there is a bit of a gamble if you really want to do this. You have got to say: "Right, OK, I will", basically that is the date. Maybe I might have slipped into unconsciousness then. But if I have not I can say: "Sorry I have changed my mind. I will make it that date."

[16:15]

So you keep postponing that date, and the fact is, is that there probably would be a point at which you still are conscious but you are saying: "Well, I am not sure. I will just carry on and I will say that is the date that I am going to leave this world." So this for me ... and indeed, the Scrutiny Panel who has done some really serious work in consideration of this, has talked about different models in terms of how different jurisdictions deal with this issue and the chair has not mentioned some of the models, so in Netherlands and Spain where in fact they do have a system where you could say: "At that point I lose consciousness, if it has been certified by medical practitioners that I really no longer have consciousness, that is the point at which I wish to leave this world." We do not have this in this law. We have an actual, well you must choose a definite date. This is where it is such a delicate ethical issue I think because on one hand you are potentially forcing people to say: "Right, I am going to be in a state of consciousness at the time I choose to leave this world but nevertheless I have to do that because if I am not in a state of consciousness I cannot do this and I will keep that family by my bedside and it could be days, weeks, whatever, and that is not what I want." So in a sense again, we come back to this point that we are not giving them choice. I think that the whole use of the word "euthanasia" in this context is overly severe, and I really want to look at this because I regard euthanasia as not having choice. So when I take an animal to a vet that is in a serious state of sickness I have to do something terrible. The vet asks me: "Well do I want to put this animal down?" And I cannot speak to the animal. I cannot say: "Do you want to carry on a bit longer or not?" That makes it really, really hard and horrible because you do not know if you are doing what that creature wants. In this case, the situation is somewhat inverted because my concern is that when you bring an amendment saying: "This person must be conscious at that point at which they have that lethal dose" you are potentially depriving them of choice. However well you might care for them once they have left consciousness, you are depriving them of choice. So, I support assisted dying and as a result I will not be supporting this amendment, thank you.

### **14.3.3 Deputy B. Ward of St. Clement:**

Obviously this is a very, very serious and very delicate subject. I certainly welcome the review from Scrutiny and the Deputy. I think it has been well thought out and it makes us all think. But the way it has been described, I need to ask the question, have absolute certainty that it is about self-administration, that the individual is fully cognisant of what they are doing and what happens if they are using a nasogastric tube or they are using a P.E.G. (Percutaneous Endoscopic Gastrostomy) feed or syringe driver, whatever, if that person halfway through the actual administration of the terminal liquid that that person then falls asleep or drifts off? Does the actual practitioner continue or do they

withdraw? We just need some of those clarifications. Also, that if somebody has some medical equipment maybe before ... this drifts slightly into my thing but it needs to be said, is about the use of the equipment in a waiver, would they use the waiver? Sorry, would they use the equipment like the nasogastric tube or the P.E.G. feeds in that situation? But I would like the Deputy to, if she can, respond to those questions.

#### **14.3.4 Deputy M. Tadier of St. Brelade:**

Just to clarify, we are debating the third amendment, are we not, of the panel?

#### **The Deputy Bailiff:**

Yes, we are.

#### **Deputy M. Tadier:**

The third amendment, I did maybe give a hint at where I am going to go with this during the questions I put to the chair following her statement. What the panel is proposing here is restricting practitioner administration to cases where a person is physically unable to self-administer. But what it means is that if the person is able to administer the medical practitioner, the doctor, will no longer be allowed to administer that. That is a strange amendment I have to say. It is removing choice from a person literally in a critical moment. The last moments of their life. It is removing agency from them. This whole law ... I know that there are proponents and opponents of it but it is removing their choice to ask a medical professional, and it could be someone who is used to going to medical professionals for the whole of their life. It could be someone who has been in and out or it could be somebody who has only been to see the doctor on a couple of occasions because they have led a relatively healthy life and they will be used to going in maybe and getting all sorts of procedures done where they trust both their G.P. and they trust other medical professionals to carry out those procedures. It may be something as simple as getting your blood pressure taken or getting a blood sample done and on none of those occasions would you expect - and I am not comparing these 2 so I do not want to be misquoted - but these are all a sliding scale of interventions, and this will be a final intervention that a doctor may make. A doctor would not say to you: "Do you want to take your own blood?" and you say: "No, I think I would prefer you to do it. I do not feel comfortable doing that. I trust you to do it." To simply say that we are removing choice, unless someone is so physically unable to administer it themselves that they cannot do it just seems entirely counterintuitive. I do not know if I have missed something here. I do not buy the arguments that it is to protect the doctors because, of course, we know that there are already safeguards whereby doctors can refuse to get involved in this as a matter of conscience, and that is absolutely correct. No doctor should be put in a position where they are asked to do something that they are not willing to do because that safeguard is fundamental to the law. I also do not think it stops coercion because it is still removing the choice, like I have said, from the individual. I would put the question back and say if it has become the default position elsewhere, as the panel has said, that the doctor is the one who administers the lethal medication that could be because that is out of choice. It is a preference for the majority of people ending their lives that they simply ask the doctor to do it. There is nothing wrong with that if that is a position that the majority of those choose. Unless I hear something in the summing up which suggests that I have completely misunderstood this or that I am following the wrong line of thinking I do not think this is the correct amendment to support. I think the Minister is correct on this one in what he is proposing, and I am all for choice in this, that is why I will be supporting the overall proposal and I certainly cannot support an amendment which restricts choice for an individual in this situation.

#### **14.3.5 Deputy C.D. Curtis of St. Helier Central:**

As vice-chair of the panel, I echo the comments made by the chair. But just to add a few points. Just broadly, there are 2 modes of administration. There is self-administration and practitioner administration and the panel recommends self-administration with the option for practitioner

administration if the person is physically unable to self-administer. The Minister is clear that he values choice for people in how they choose their mode of assisted dying, and he is right. But the panel prioritises safeguarding because when the moment comes to end a life the final safeguard is that the person administers the drug or other method themselves. So both the Minister and the panel are right. How anyone votes depends, I think, on whether they prioritise choice or safeguarding. So this amendment brought by the panel would not prevent anyone from going ahead with an assisted death should they fit the conditions. The amendment is solely there as a final safeguard. The panel, with the help of expert advisers, carefully considered the model used in Victoria, Australia, where practitioner administration is only permitted when a person is physically unable to self-administer. The Minister raised concerns about how to define “physically unable” but the expert advisers reported no evidence of system-level difficulty in Victoria in determining whether a person was unable to take or digest the approved drugs. I myself have experience of helping to care for dying people. My own father died peacefully in my home. His care was managed by myself, family nursing and the hospice. During COVID also I worked shifts in care as a level 3 carer in the nursing home where my mother resided, and my experience of people who were terminally ill was that they often had good days and bad days. I remember one man who would ask us to throw him out of the window and finish him off. But the very next day he could be having a good day. Also, my experience is that many people who are suffering from a terminal illness often feel they are a burden. For these people it would be much easier to submit to practitioner administration than to self-administer, but I do not think that anyone wants to encourage people to see themselves as a burden. So while respecting a person’s ability to decide whether they want to go ahead with an assisted death, the requirement for them to self-administer ensures that that person is in full control of their decision on their final day. I therefore feel much more comfortable with the model of self-administration. It offers stronger safeguards and autonomy while still enabling equitable access. It ensures certainty that this is what the person really wants to do and I hope that the Assembly supports this amendment.

#### **14.3.6 Deputy J. Renouf of St. Brelade:**

Like Deputy Tadier, Members may not be surprised following my earlier question to the chair of the Scrutiny Panel at the angle I take on this matter. This is about thinking our way into situations which most of us hope we will never confront and we are nevertheless required to do so. Thinking about this, I am not convinced that the arguments preferring self-administration as the default method are very strong. My own view is that we should be neutral on the method of administration, and I respectfully do not accept that this is a choice between prioritising safeguard or choice. It is certainly the case that the issues are about safety versus choice but it is not necessarily the case that the decision we make is about choosing, and I will elaborate on that. The choice side of the equation is pretty clear and other speakers have made that case. In situations where practitioner’s administration is allowed it becomes the default, and that suggests to me that it is a preferred option for many people in this situation if “preferred” can be a relevant word in this context. That preference does not surprise me. It seems to me highly likely that a person in a physically weak position confronting the end of their existence, sure of their mind, but perhaps unsure of their capabilities might prefer to hand the conduct of that final step to a medical professional. To me it is precisely because the option of practitioner administration becomes the default option and is therefore, we can assume, a preferred option in many cases is why we should be minded to support it.

[16:30]

The proposer’s view is that making self-administration the default would be the ultimate safeguard, and I think this is where this question of choices comes into it. That suggests a lack of confidence in the safeguards we have in place. Why do we need an ultimate safeguard? I think we should consider the entire landscape regarding safeguards in this legislation, and I must say I am very impressed by the care and thought that has gone into building safeguards throughout this process and throughout the legislation. I note that the Scrutiny Panel has provided further safeguards through some of its

other amendments, and that the Minister has accepted those amendments. We would only need an ultimate safeguard if the existing safeguards were inadequate or if we were not sure about them, and I would be worried if that was the case. But I do not think that the safeguards are inadequate. I have further problems with the wording of the amendment. Physical capacity in the context of assisted dying seems to me to be a very difficult concept. A discussion around physical capacity at a time of extreme physical and emotional stress is not something that I think is fair given that somebody in that position will have already had to express a steady view and to have shown no hesitation throughout the process to get to this point. Those who have experienced the situation of a loved one at end of life will know the intensity of the issues that the person who dies is going through. It seems to me that in those circumstances a considerable burden to be suggesting that we should be asking them to consider the question of physical capacity at that point, and Deputy Barbara Ward has raised some valid questions I think about regarding the complexities of self-administration. I must say, neither am I convinced by the idea that elaborate methods of self-administration could be created to get around the difficult issues of physical capacity. That reinforces my view that this amendment strays, I accept completely inadvertently, but it does stray closer to becoming a barrier than a safeguard. I do want to talk about this issue of authority bias, which I think is a significant point and a well-made point by the supporters of this amendment. But my understanding of the legislation is that a doctor is not in a position to advise or encourage, or in any way bring pressure to bear on somebody in these positions. In fact, quite the opposite. They can only respond to a request that has been made and they are on alert to spot if there are signs that the patient's view has changed and have to respond to that if they believe it to be the case. So my point would be if we believe that we do not have safeguards against authority bias already present then we should not be voting for the legislation at all. But as I have said, I do believe that we do have those safeguards, and in fact they are exceptionally thorough and have been built upon by Scrutiny as well. The proposer suggested that this amendment would extend the individual's autonomy and dignity, but I have to say I disagree with that view because a person's autonomy is being restricted in a very large measure by being told that unless they can prove physical, or unless it can be proved that they are physically incapable, they have to self-administer in a situation where they may have a strong view that they do not wish to do so. That seems to me to be weakening a person's autonomy and, for the reasons I have already talked about in terms of the issues that they would have to address around physical capacity, also undermining their dignity. Therefore, my view is that the understandable desire of people seeking an assisted death to prefer the act to be committed by a qualified medical practitioner is reasonable, and if it becomes the default method of administering then I see no problem with that. The proposer has not identified any failing in the legislation that would suggest this, so-called, ultimate safeguard is necessary. As I say, I think it reads therefore as less of a safeguard and more of a tacit barrier to the adoption of assisted dying and I do not think it is necessary.

#### **14.3.7 Deputy R.J. Ward of St. Helier Central:**

I am pleased to follow the previous speaker who expressed some points in a way that I was wondering how I would express them, so I do not have to. Just to recap, the third amendment proposes to make self-administration a default - and I reiterate that is on purpose, not just to repeat - and to restrict practitioner administration only to those who are physically unable to self-administer, even with equipment adaptations and support. I do oppose this amendment. Not because I dismiss the sincerity of the panel, and not because I underestimate the importance of safeguarding. I oppose this because this amendment risks creating a system that is less compassionate, that is less flexible and ultimately less aligned with the wishes and needs of the very people this legislation is meant to serve. The amendment removes choice at the most profound moment in a person's life. The draft law, as it stands, reflects a clear principle that the individual should choose the method of their assisted death. The Minister made this point plainly during the panel's own hearing stating that restricting the model would not reflect what consultation has shown the public want. The panel's report quotes him directly: "Restricting the rights of a person who wants to end their own life to choose the way in

which they would like to end their own life, I would certainly want to meet those needs.” This amendment removes that choice. So I feel that it replaces autonomy with a hierarchy. It tells people facing the end of life that they must perform the final act themselves even if they do not want to. Even if they find the idea distressing. Even if they would prefer the presence and support of a clinician. We should not be trying to legislate a single correct way to die. The amendment creates a distinction that I feel could be ethically questionable and practically unworkable. The panel insists on the word “physically” but what does that mean in practice? A person may be physically capable of lifting a cup to their lips but emotionally shattered by the prospect of doing so with a lethal medication. But that does not change their choice. They may be physically able to press a button but psychologically unable to take the final step. The panel acknowledges this in its report: “An individual may be deemed physically capable but due to the psychological emotional distress feels unable to do so”, and yet the amendment offers no accommodation for this reality. Instead, it forces clinicians into a very difficult position to judge whether a person’s hand is physically unable, but their head is not. To me this is not safeguarding. This is adopting a single rigid process that may have unintended consequence and it looks like protection. It is also argued that self-administration is a safeguard against coercion but, Members, as well, coercion is not prevented by forcing a dying person to perform a physical act they may dread. Coercion is prevented by rigorous eligibility assessments, multiple stages of consent, independent clinical oversight and the presence of trained professionals. All of which the draft law provides for. I have real concerns the amendment risks creating traumatic experiences. People who fear self-administration may delay until they are too unwell. People may attempt self-administration and fail, requiring distressing secondary interventions. Families may witness prolonged or complicated deaths that could have been avoided. The panel itself notes the international experience shows the choice of drugs and methods required requires careful evaluation. Yet, this amendment narrows the options before that evaluation has taken place, and I must mention the evidence that is used. The panel cites Victoria, Australia, where practitioner administration is limited to physical incapacity. But Victoria’s system is not Jersey’s system. In Victoria, clinicians are not required to be present during self-administration. The legal framework is far more restrictive overall and the cultural and clinical context is entirely different. Jersey has chosen a different path, a model where clinicians are present, where support is continuous and where the individual’s choice is central. We should not import the most restrictive element of another jurisdiction while ignoring the broader context in which it operates. Under this amendment 2, people with identical diagnosis, identical suffering, and identical wishes could be treated differently simply because one can lift a cup and the other cannot. That is not autonomy. It is not compassion and I do not believe it is fairness. The panel argues that self-administration enhances dignity but dignity is not something the state can define for a person. Dignity is personal, subjective and chosen, and our law should respect that. I ask the question, when does safeguarding become gate keeping? The panel frames self-administration as a final safeguard, but the final safeguard is not the physical act. The final safeguard is the person’s ongoing voluntary, informed consent and the draft law already requires multiple assessments, independent verification, a care plan, the presence of a clinician and the ability to withdraw at any time. Adding the requirement that the person must physically perform the final act does not strengthen the safeguarding. It simply adds a barrier that may be insurmountable for some, distressing for others and unnecessary for all. So to conclude, this amendment is well-intentioned, but good intentions do not always make good law. The Draft Assisted Dying Law already contains robust safeguards, it already protects autonomy and it already ensures safety. It reflects the evidence gathered through years of consultation. I finish by saying that I believe that the amendment will be free of choice, may create distress, does impose rigidity and I believe undermines the compassion person-centred model that Jersey has worked so hard to design. For these reasons I ask Members to reject the third amendment.

#### **14.3.8 Deputy L.V. Feltham of St. Helier Central:**

Firstly I would like to thank the panel for all the diligent work that they have done on this piece of work. I know that they have put a lot of thought and effort into it. This particular amendment I have to say is one that I am having to put a lot of personal thought into, and I do think it is important that when we are looking to other jurisdictions that we look to what they have learned as well. My understanding - and I would like the panel chair to address this in her summing up - is that the Victorian Government has recently had a Bill which made a number of changes to the Assisted Dying Law in Australia, and this element was one of the recent changes. They have in fact gone away from the default position that is being proposed by the panel. So I would like to hear from the panel chair whether they did look into that Bill that I believe was debated in Victoria, passed in November 2025, and is soon to become legislation there. If they did look into that, obviously I am assuming that during that debate the Victorian Parliament would have discussed lessons learned and reasons for changing from that default position to effectively what appears to be the position that the Minister has taken in his policy, and why they thought that perhaps Victoria's previous decision was the better one.

#### **14.3.9 Deputy T.J.A. Binet:**

As was mentioned earlier, there are likely to be 17 votes in this debate but I think only 3 issues are going to stimulate a full debate, and this is one of them. I may repeat some of the comments that have been made already but I feel it is important to be comprehensive so I hope Members will bear with me for the 4 or 5 minutes it will take to cover this off.

[16:45]

This amendment, if adopted, would fundamentally change the principle of compassion that sits at the heart of the assisted dying proposals that the Assembly and the public have shaped from the outset. Over a number of years of debate and public engagement a consistent premise has been established that, if we introduce assisted dying, individuals should have autonomy and choice over the manner and timing of their death. By way of a reminder, the 2021 citizen's jury supported a model that included both modes. P.95/2021 reaffirmed that direction with the Assembly supporting both modes in principle. The 2023 ethical review confirmed that offering both modes is consistent with respecting patient autonomy, and in P.18/2024 this Assembly explicitly agreed that the draft law should permit both modes. The panel's own expert advisers made no recommendation to permit self-administration only. This is not an area where the Assembly has been uncertain or divided. The principle has been repeatedly endorsed. If Jersey is to allow assisted dying, individuals should have the ability to choose the mode that reflects their values, fears, hopes and needs at the end of life. Indeed, I must admit to being a bit surprised that the panel has brought forward this amendment. While I disagree with their amendment on the third party appeals, and with Deputy Ward's amendment on the waiver, I sort of understand why they had been proposed. I cannot say the same for this amendment as I cannot fathom how withdrawing help and support from a dying person in the very last moments of their life could be presented as a safeguard. In their report the panel suggest that bodily autonomy requires the individual to perform the final act themselves, that self-administration is ultimate agency and the clearest possible evidence that the decision is voluntary, contemporaneous, and personally enacted. But surely this is a false argument. Autonomy and agency are not proved or demonstrated by the individual taking the final act. Indeed, autonomy is also about exercising choice, i.e. enabling the dying person to choose the mode that is right for them. For many people, even if they are physically capable of self-administration, the act of drinking or injecting the medication can cause fear, hesitation or distress. People may prefer a medicalised process because it feels safer, more predictable, and more dignified. If we take that choice away, autonomy narrows. A person who is fearful or overwhelmed could be left facing a mode of death that feels inaccessible or traumatic. This is not autonomy, it is not fairness, and it certainly is not compassion. The panel bases their argument on the Australian state, Victoria, which similarly requires self-administration, except in cases of physical incapability. But it is critical to understand that this is was the first state

in Australia to introduce assisted dying. Subsequent jurisdictions have learnt from that experience, permitting practitioner administration in circumstances far broader than physical inability. New South Wales and the Australian Capital Territory have recently legislated for assisted dying where they both permit a choice of self-administration and practitioner administration, as proposed in our draft law, because they saw the challenges, anxieties and practical barriers that arose when choice is restricted. Australia has moved towards the model proposed in the draft law, not away from it. That evolution is telling. It reflects lived experience from practitioners, families, and from people seeking an assisted death. Jersey has had the rare advantage of being able to learn from this. It would be a backwards step to adopt something akin to the law in Victoria, rather than the compassionate, person-centred approaches seen in newer laws. The panel argues that self-administration acts as a safeguard against coercion, that the individual must perform the final act themselves. But the draft law already embeds multiple layers of safeguards, as assessment, at every transition between steps, in the final checks made by clinicians, and at the moment of administration itself. These safeguards apply, regardless of mode. Critically, the administering practitioner must stop the process if there is any doubt about voluntariness or capacity. That is the safeguard, not forcing someone to drink a medication they fear or struggle to take. Relying on self-administration as a backstop safeguard is illusory. It gives a false sense of security while creating a real risk of distress and inequity for those who do not feel able to self-administer. Nor is it accurate to suggest that practitioner administration creates covert pressure. Concerns have been raised about higher completion rates in jurisdictions that permit practitioner administration, but these comparisons have been made between jurisdictions with completely different legal frameworks, making them unreliable and incomparable. For example, if you compare Oregon, which only permits self-administration, with Canada, which also permits practitioner administration, there is a 26 percentage point difference between the numbers of people who do not complete their assisted death. But where we do like for like data, as in New South Wales, the difference between completion rates for self-administration and practitioner administration is significantly smaller at 13 percentage points. What is more, it is a complete supposition to state that higher completion rates when a clinician is involved are due to covert pressure. It could simply be that a clinician's presence reduces fear and uncertainty and provides both emotional and practical support. Higher completion rates are not in themselves evidence of pressure. Indeed, they are more likely to be a reflection of the fact that people choosing an assisted death are less frightened and intimidated if not forced to self-administer. In conclusion, retaining both modes of administration is not a technical detail, it is central to ensuring that Jersey's assisted dying model is ethical, compassionate, aligned with international best practice, and true to the decisions that this Assembly has already made. Restricting practitioner administration does not provide significant additional safeguards but it does create inequity, reduce autonomy, and risk unnecessary suffering. For these reasons I seriously do urge Members to reject this amendment and to uphold the principle that has guided us from the beginning.

#### **14.3.10 Connétable A.N. Jehan of St. John:**

Like others I would like to acknowledge the quality of the panel's work. I note the Minister has accepted the majority of the panel's amendments but, like me, he is not supporting this one. We heard from the chair that she spoke about the "white coat". It is pure supposition to say that the presence of the doctor encourages the person to proceed with an assisted death. It could easily be said that it could give the person greater comfort and safety in the presence of a doctor. Deputy Feltham is indeed correct when she says that Victoria have voted to move away from self-administration to permit absolute choice. The chair said in her statement on the review that this amendment is driven by a judgment as to what is right. I would argue that it is not based on fact but instead is based on opinion. It is said that self-administration is the ultimate safeguard. Self-administration in my view is not the ultimate safeguard. I would argue that in fact it is the false safeguard. If you get that far in the process and you need to rely on self-administration as a safeguard you have got something wrong. As the Minister for Health and Social Services has just explained to

us, there is public confidence, the public clearly say they support practitioner administration. It is a supposition to say anything otherwise. Finally in respect of doctors, experience in other jurisdictions has demonstrated that there are many doctors who are willing to administer the drugs. I will be rejecting the amendment and encourage others to do the same.

#### **14.3.11 Deputy Sir P.M. Bailhache of St. Clement:**

I confess that I am not really interested in the evolution of the Australian model, nor really what happens in Canada or Oregon. I am more interested in what is right for Jersey. For us, assisted dying is an entirely new, untested, and ethically difficult process, and it seems to me absolutely obvious that we should proceed with caution. The Minister's speech focused on questions of choice and autonomy. Patients should have the right to choose how to die, he said, because they have a right to that autonomy. It is true that his proposal does offer the patient a choice, but in this matter - as in life generally - people cannot always do what they want to do when that choice affects other people, as this choice does. I am afraid that I do not find the argument about autonomy very persuasive because getting somebody else to do something is not the exercise of autonomy. The dictionary tells us that autonomy means freedom of the will. Doing what you want to do is the exercise of autonomy. That is freedom of the will. But getting someone else to do it is not the exercise of autonomy. That seems to me to be a false argument. Getting someone else to inject you with a fatal substance is not the exercise of bodily autonomy. I think that the arguments about infringing patient autonomy have no substance. They are mistaken. There seem to me to be 3 arguments why this amendment should be adopted, and I will take them in ascending order of importance, i.e. the least important first of all. The first argument is that none of the English, Scottish or Manx draft laws include euthanasia in their texts. It seems to me that there are advantages in not departing substantially from the models adopted in other parts of the British Isles. Our doctors, psychiatrists, nurses, are all trained in Great Britain, they are subject to ethical and professional rules that are set in Great Britain. Going out on a limb with a completely different process for assisted dying, even if it is practised in other parts of the world, seems undesirable unless there is a compelling reason to do it. It would give rise to ethical and professional complications. If self-administered assisted dying is the norm here, as it is in other parts of the British Isles, there will be less confusion as to what the applicable rules are. The second argument is more important, I think. A trusting doctor/patient relationship is fundamental to our well-being. When we are sick, we are vulnerable and totally reliant upon medical people. We trust them because we believe that they want to make us better. The introduction of any form of assisted dying may have an effect on that relationship but euthanasia certainly risks changing its trusting nature. It may not be rational but elderly, confused patients may fear injections by a doctor if euthanasia is lawful. If patients know that the only lawful kind of assisted death is a self-administered one, the perception will be different. Making euthanasia lawful will, I think, change the nature of the doctor/patient relationship and not in a helpful way. The third argument which other Members have rejected is, I think, the most important and it does concern coercion. I was the member of the panel to whom the chair referred, but the thought came not from me but from Kim Leadbeater M.P. (Member of Parliament), the person promoting the English assisted dying law, who when asked why they had not included practitioner-assisted death in their law answered that it was the ultimate protection against coercion. If you had to do the act yourself, it was much less likely that you had been coerced.

[17:00]

That is the real meaning of autonomy. If you have the ultimate agency over your own body and your life, it is much less likely that you will have been coerced into taking a decision to end your life. By coercion I do not just mean coercion that involves some external influence, but coercion that involves some misplaced feeling that you are a burden to others. If you transfer that agency to a clinician, you are diluting the personal control over the timing and manner of your death. What I had not realised until it was explained by our expert advisers is that self-administration has so many different facets.

It can mean lifting a goblet of poison and swallowing it, but it can also mean pressing a button to allow the passage of poison into your body. It can mean applying pressure to a cushion with your chin to achieve the same end. There are numerous different ways of self-administration which can be devised to suit the preferences and capacity of the patient. At the end of the day, if you are physically incapable of doing any of those things, it will be lawful for the physician to administer the poison to you. Some have suggested that proving physical incapacity might be difficult, but in Victoria, where the similar rule has been or is in force, the evidence is that no difficulty by the medical profession has been experienced. This amendment preserves the freedom of the will, patient autonomy, but does not risk the other downsides of practitioner administration. I will finish with one other point. I do think that there is a clear moral and ethical distinction between administering drugs to alleviate pain and suffering, even if death does ultimately result, and administering drugs with the intention of causing death. I confess that I feel discomfort when I hear of doctors who get apparently satisfaction from bringing life to an end. Maybe it is the memory of the infamous Dr. Shipman. We do not need to risk that. The amendment substantially avoids that kind of risk and I hope that Members will give it sympathetic consideration.

**The Deputy Bailiff:**

Deputy Scott, your light is on.

**Deputy M.R. Scott:**

Yes, I just wondered if the Deputy would allow me to ask 2 small points of clarification.

**Deputy Sir P.M. Bailhache:**

Yes, I will try.

**Deputy M.R. Scott:**

First of all, he had a definition of autonomy. I wondered if I call a cab to take me home rather than drive home, am I exercising autonomy in his view? That was my first question. The second was he mentioned what is right for Jersey and the Minister mentioned public consultations, but the Deputy himself did not say anything about the place or the weight that he gives those public consultations in terms of determining what is right for Jersey, so whether he might just offer a view there.

**The Deputy Bailiff:**

Deputy, do you wish to give clarification on those 2 questions?

**Deputy Sir P.M. Bailhache:**

I am not sure that I am very clear what the points of clarification are. I think I have explained what in my view autonomy is, which is freedom of the will. I do not think I have anything to add to that. So far as consultation is concerned, of course there has been huge consultation and different views have been expressed by a whole range of different people. We all in this Assembly have to make up our own minds at the end of the day as to what is the appropriate and proper way to go forward.

**Deputy T.J.A. Binet:**

I am reluctant to do this but I wonder if the Deputy would like to withdraw his final comment because unless ... we only hear these things once, but unless I heard incorrectly, he made mention of medical practitioners who might enjoy bringing people's lives to an end. I think that for people who might opt to get involved in the assisted dying that is something of an outrageous comment.

**The Deputy Bailiff:**

Deputy, it is a matter for you as to whether you wish to withdraw that comment.

**Deputy Sir P.M. Bailhache:**

I am sorry, Sir, I am not sure that I actually heard the whole question properly.

**The Deputy Bailiff:**

You made reference during the course of your speech to ... you did preface it by assisted dying potentially changing the relationship between the patient and the doctor.

**Deputy M. Tadier of St. Brelade:**

Sir, this may be a good time for a point of order but it is not case of whether we like what ...

**The Deputy Bailiff:**

Can I just finish the ...?

**Deputy M. Tadier:**

Sorry.

**The Deputy Bailiff:**

But you also referred to the possibility of doctors getting satisfaction from ending the life of a patient and certain Members reacted to that comment. It is a matter for you as to whether you wish to clarify that comment or withdraw the comment. That is the point that is being raised to you by the Minister for Health and Social Services.

**Deputy Sir P.M. Bailhache:**

What I said was that I felt discomfort about hearing of doctors who obtained satisfaction from carrying out an assisted death and I do not withdraw that statement. I do feel discomfort about it.

**The Deputy Bailiff:**

Very well. I think we have taken that as far as we can. It is not unparliamentary. I think you have made your point. You do not wish to retract that comment. That is noted. Does any other Member wish to speak on the third amendment?

**14.3.12 The Very Reverend M.R. Keirle, B.A., Dean of Jersey:**

I stand up with real trepidation at this point. I think the debate has been really helpful and I tread with real caution here because I am not trying to influence the way in which this debate goes but I am concerned about the nature of autonomy. So I am just going to speak about autonomy for just a moment, if I may. We have said a lot about it this afternoon. What I want to do is link this up with comments that I made the last time we debated this, when we discussed suicide prevention. I brought that up in my speech and said there was a fantastic strategy document. The question I am asking, I am really just mulling this over in my own mind and for you to reflect on. Why do we have a suicide strategy? Why do we work hard to do that? If people have autonomy, why do we not simply let people kill themselves? So that is the question I have been sitting here and pondering. Why have any parameters at all if autonomy is paramount? This is not a criticism of anybody's speech. I think the debate so far has been interesting. But there is a reason, surely, that we have these strategies in place and parameters in place and that is I think because we value life. We care for the most vulnerable. So I suppose the question that I have is: what are the parameters for valuing life at that point of death? I do not have the answers but what I will tell you is that I have seen the most extraordinary things at the point of death. I have sat with nearly 70 people as they have passed from this life to the next. I have seen the most extraordinary - extraordinary - things happen, people choosing when they die, people speaking after 3 days of unconsciousness, when someone walks in the room and they cannot see them but they obviously hear them, delaying a death until a loved one has visited. People are capable of extraordinary things. So my question really for us all to reflect on, on both sides of this particular debate, is where does value begin and end and what is the relationship between that and autonomy? For those of us who sat here during these long, protracted

debates, you will know that my concern has always been for the most vulnerable and those most at risk in this debate. So what is the safest option ethically? Which option minimises the potential for coercion and maximises safeguarding? What does it mean to value someone?

### **The Deputy Bailiff:**

Does any other Member wish to speak on the third amendment? If no other Member wishes to speak, then I call upon the Chair of the review panel to reply and sum up.

### **14.3.13 Deputy L.M.C. Doublet:**

I shall do my very best to reflect and respond to the points and questions that have been raised. I do thank Members for the thoughtful and considered debate and to remind Members that the law will function either way, whether this amendment is included in the legislation or not. One of the broader findings of the panel was that there were significant safeguards in the wider legislation, and I wanted to repeat my earlier point that this is one of the finer points in regards to safeguarding and it is for Members to decide. This amendment is in the hands of Members to decide whether they want to do that final tightening up of the safeguards and to weigh up the arguments. Indeed, we have heard reasonable and robust arguments both for and against today, and it probably is quite a difficult one for many Members to weigh up. Deputy Scott mentioned some questions about the waiver and whether if somebody was physically unable to access the service a doctor would be able to administrate, and I think there was a little bit of confusion there between the waiver amendment and this amendment. This amendment is focused on physical capability. It would not impact the waiver, and indeed that separate question of the waiver can be considered independently. The law would work with the waiver if this amendment is accepted or if it is rejected. So that separate question of the waiver can be considered separately. I think I would give the same response to Deputy Barbara Ward for her questions. The question that she raised was about the waiver; it was not about the physical capability that this amendment addresses. Deputy Tadier gave a really interesting speech and he drew some comparisons between other medical procedures. He stated why would we ask a medical practitioner to do something like draw blood for a blood test ... sorry, we would not logically be expected to do that ourselves. But it is very different. The moment of ending a life is very different to the moment of administering medical care and that is why this careful consideration must be given at this point. One of them is treatment and one is assisting a person to die. The Deputy gave some very good arguments around choice and I can see that he felt very strongly that restricting choice is not something he wants to do. Again, I would draw Members' awareness to the fact that this is about weighing up the different ethical considerations. A restriction of choice is something that is on one side of it and on the other side in favour of this amendment we have improved safeguarding, greater autonomy. It is easier for a patient to change their own mind and to stop an action that they are going to take themselves than it is to speak up and to say to a medical practitioner: "Could you stop now?"

[17:15]

I will jump ahead to one of the later speeches; by the Constable of St. John, I believe. He used the word "supposition" and he is right because for some of these ethical questions all we can do is put ourselves in the shoes of people that might be in those scenarios and try to imagine what we would do and where certain decisions would lead. That is the best that we can do because we cannot know for sure in some of these circumstances. Deputy Catherine Curtis, I have really enjoyed working with on this panel. I have felt very privileged to work with Deputy Curtis and with Deputy Bailhache and the level of intelligence and consideration given to this matter. I have been really honoured to work with the panel. Deputy Curtis mentioned Victoria, that it was working fine, and again I will jump ahead to Deputy Feltham's speech. She drew my attention to some possible evolution of the law in Victoria. I did look this up and I was not able to fact check that to the extent where I can 100 per cent confirm that that has been changed in Victoria, but I did find that it had been proposed. I looked at some of the speeches involved with that debate in Victoria and some of the problems that

they found were due to the remote rural location of some people who wanted to access the assisted dying service, which of course we would not have that problem here in Jersey. The medical equipment needed to self-administer would be available centrally in our hospital in the location that is chosen. So, of course, again it is that balancing, is it not? There are reasons to look at Victoria and see that it has worked for some time. There are also reasons arising in Victoria why it might not work and that is for Members to weigh up as part of their considerations. Deputy Renouf, again I was really interested. I listened with great interest to his speech and he mentioned that this signals a lack of confidence in the Minister. I wanted to state not at all and just reiterate that the findings of the panel did show that we had that confidence in the safeguards that the Minister is providing but that this is a further option to slightly tighten up those safeguards should Members wish to do so. Again, this is in Members' hands. He challenged the authority bias but this is quite a robust psychological finding that can be read about, and some quite firm evidence there. But he is right, it could present as a barrier, and again I hope that Members will weigh up both sides of this and I hope that Members have been really thinking about the evidence on both sides so that they can make an informed decision. I think that is everybody who spoke. I thank the Dean for his contribution also. So, just to reiterate that this amendment would create a tiered self-administration as the default model but there would be options for practitioner administration were the patient physically unable to self-administer. The panel believes that this is a balanced and proportionate approach that would improve the safeguards available. I ask that Members weigh up the evidence that has been presented and discussed today and make their decision accordingly. I ask for the appel.

### **The Deputy Bailiff:**

The appel has been called for, so Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have cast their votes, I ask the Greffier to close the voting. I can announce that the third amendment has been defeated:

| <b>POUR: 18</b>           |  | <b>CONTRE: 30</b>          |  | <b>ABSTAINED: 0</b> |
|---------------------------|--|----------------------------|--|---------------------|
| Connétable of St. Helier  |  | Connétable of St. Lawrence |  |                     |
| Connétable of St. Brelade |  | Connétable of St. Peter    |  |                     |
| Connétable of Trinity     |  | Connétable of St. Martin   |  |                     |
| Deputy G.P. Southern      |  | Connétable of St. John     |  |                     |
| Deputy L.M.C. Doublet     |  | Connétable of St. Clement  |  |                     |
| Deputy K.F. Morel         |  | Connétable of Grouville    |  |                     |
| Deputy M.R. Le Hegarat    |  | Connétable of St. Ouen     |  |                     |
| Deputy I. Gardiner        |  | Connétable of St. Mary     |  |                     |
| Deputy I.J. Gorst         |  | Connétable of St. Saviour  |  |                     |
| Deputy K.L. Moore         |  | Deputy C.F. Labey          |  |                     |
| Deputy Sir P.M. Bailhache |  | Deputy M. Tadier           |  |                     |
| Deputy D.J. Warr          |  | Deputy S.G. Luce           |  |                     |
| Deputy C.D. Curtis        |  | Deputy S.M. Ahier          |  |                     |
| Deputy M.E. Millar        |  | Deputy R.J. Ward           |  |                     |
| Deputy A. Howell          |  | Deputy C.S. Alves          |  |                     |
| Deputy R.S. Kovacs        |  | Deputy L.J. Farnham        |  |                     |
| Deputy B. Ward            |  | Deputy S.Y. Mézec          |  |                     |

|                    |  |                             |  |  |
|--------------------|--|-----------------------------|--|--|
| Deputy K.M. Wilson |  | Deputy T.A. Coles           |  |  |
|                    |  | Deputy B.B. de S.V.M. Porée |  |  |
|                    |  | Deputy H.M. Miles           |  |  |
|                    |  | Deputy M.R. Scott           |  |  |
|                    |  | Deputy J. Renouf            |  |  |
|                    |  | Deputy L.V. Feltham         |  |  |
|                    |  | Deputy R.E. Binet           |  |  |
|                    |  | Deputy H.L. Jeune           |  |  |
|                    |  | Deputy T.J.A. Binet         |  |  |
|                    |  | Deputy M.R. Ferey           |  |  |
|                    |  | Deputy A.F. Curtis          |  |  |
|                    |  | Deputy L.K.F. Stephenson    |  |  |
|                    |  | Deputy M.B. Andrews         |  |  |

#### **14.4 Draft Assisted Dying (Jersey) Law 202- (P.65/2025): second amendment (P.65/2025 Amd.(2)) - resumption**

##### **The Deputy Bailiff:**

According to the running order we move back to the second amendment, which has been lodged by the Minister, and this vote deals with section C of the second amendment, which is the right to request a palliative care assessment. I ask the Greffier to read section C of the second amendment.

##### **The Deputy Greffier of the States:**

Page 138, Article 4 – After Article 4(3)(b)(iii) insert – (iv) that they may, at any time before approved drugs are administered to them, do anything described in Article 15(1), such as – (A) withdraw their request for assisted dying; or (B) pause the assisted dying process and ask that a suitably qualified health professional examine them and determine their options for care and treatment, including options that are end-of-life or otherwise palliative. Page 143, Article 8 – (1) For Article 8(3)(b) substitute – (b) that the individual may, at any time before approved drugs are administered to them, do anything described in Article 15(1), such as – (i) withdraw their request for assisted dying; or (ii) pause the assisted dying process and ask that a suitably qualified health professional examine them and determine their options for care and treatment, including options that are end-of-life or otherwise palliative. Page 148, Article 15 – For Article 15(1)(c) substitute – (c) pause the assisted dying process and ask that a suitably qualified health professional examine them and determine their options for care and treatment, including options that are end-of-life or otherwise palliative.

##### **The Deputy Bailiff:**

I ask the Minister to propose section C of the second amendment.

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

Hopefully this will be a lot more straightforward than the last. The draft law as lodged already ensures that individuals are fully informed of their palliative care options. However, in response to feedback from the Jersey Care Commission, this amendment more clearly signposts that an individual may request a palliative care assessment at any point in the process and the co-ordinating doctor and administrating practitioner must inform them of this right. If an assessment is requested, this would be undertaken by the relevant professional or professionals. Depending on the individual's

circumstances, this could include, for example, a palliative care physician, specialist nurse, clinical psychologist, therapist, counsellor or social worker. Importantly, this amendment does not make palliative care assessments mandatory. It maintains the principle of patient choice and recognises that an assessment may not be required because, as we know from other jurisdictions, typically over 80 per cent of those making a request for assisted dying are already receiving palliative care. This part of my amendment does not order policy. It does no more than seek to clarify and strengthen the safeguards, so I commend this to the Assembly.

**The Deputy Bailiff:**

Thank you, Minister. Is section C of the second amendment seconded? **[Seconded]** Does any Member wish to speak on section C of the second amendment?

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

I wanted to confirm that the panel are supportive of this amendment and indeed it arose from a submission from the Jersey Care Commission in November, which highlighted this issue. Again, we are grateful that the Minister has picked this up and drafted this amendment himself, and we will be supporting it.

**The Deputy Bailiff:**

Does any other Member wish to speak on section C of the second amendment? If no other Member wishes to speak, Minister, do you wish to reply?

**14.4.3 Deputy T.J.A. Binet:**

No, Sir, I just call for the appel.

**The Deputy Bailiff:**

The appel is called for. I invite Members to return to their seats and I ask the Greffier to open the voting. If all Members have now cast their votes, I ask the Greffier to close the voting. I can report that section C of the second amendment has been adopted:

| <b>POUR: 46</b>           |  | <b>CONTRE: 1</b>           |  | <b>ABSTAINED: 0</b> |
|---------------------------|--|----------------------------|--|---------------------|
| Connétable of St. Helier  |  | Connétable of St. Lawrence |  |                     |
| Connétable of St. Brelade |  |                            |  |                     |
| 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     |  |                            |  |                     |

|                             |  |  |  |  |
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| Deputy K.F. Morel           |  |  |  |  |
| Deputy M.R. Le Hegarat      |  |  |  |  |
| Deputy S.M. Ahier           |  |  |  |  |
| Deputy R.J. Ward            |  |  |  |  |
| Deputy C.S. Alves           |  |  |  |  |
| Deputy I. Gardiner          |  |  |  |  |
| Deputy I.J. Gorst           |  |  |  |  |
| Deputy L.J. Farnham         |  |  |  |  |
| Deputy K.L. Moore           |  |  |  |  |
| Deputy S.Y. Mézec           |  |  |  |  |
| Deputy Sir P.M. Bailhache   |  |  |  |  |
| Deputy T.A. Coles           |  |  |  |  |
| Deputy B.B. de S.V.M. Porée |  |  |  |  |
| Deputy D.J. Warr            |  |  |  |  |
| Deputy 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         |  |  |  |  |

**The Deputy Bailiff:**

We have reached the point of 5.30 p.m. where Standing Orders require me to raise with Members whether they wish to adjourn for the evening. Do Members wish ... the adjournment is called for. I adjourn this sitting of the Assembly and we will resume at 9.30 a.m. tomorrow. Thank you.

**ADJOURNMENT**

[17:25]