

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 9th MARCH 2026

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[14:30]

The Roll was called and the Deputy Greffier of the States led the Assembly in Prayer.

QUESTIONS

1. Written Questions

1.1 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding breaches of employment permissions under the Control of Housing and Work (Jersey) Law 2012 (WQ.50/2026):

Question

Will the Chief Minister advise the number of investigations, warnings, penalties, and prosecutions arising from breaches of employment permissions under the Control of Housing and Work (Jersey) Law 2012 since the enactment of the Law?

Answer

Since 1 January 2020, 643 investigations have been carried out resulting in 49 formal warnings. No penalties or prosecutions have taken place.

The recording of compliance activity uses the current database established in 2020. It has not been possible to produce accurate figures before this date in the time available.

1.2 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding the total number of civil servants employed within each Government department (WQ.51/2026):

Question

Will the Chair provide a breakdown, for each of the last 5 years, of the total number of civil servants employed within each Government department?

Answer

The below table shows the total headcount of Full-Time Equivalent (FTE) Civil Servants employed in each Government Department as at 31 December of each year, 2021 – 2025.

The recruitment freeze introduced in August 2024 has remained in place throughout 2025 and has slowed the growth in the number of civil servants during this period. The most substantial increases in civil servant numbers occurred between 2021 and 2023, before the freeze was implemented.

The table includes any employee on a Permanent or Fixed-Term Contract and a [Civil Servant Grade](#) (CS01 – CS15). The table also includes senior Civil Servants who are paid outside of the Civil Servant Pay Scale (Personal Contract Holders), such as Chief Officers and Directors.

The table excludes any employee solely on a Zero-Hour contract or any employee on a non-CS grade. Employees who are employed in multiple departments have their FTE included per department worked in. The FTE figures are rounded to the nearest whole number. For ease of comparison between the years, previous years have been mapped against the 2025 Department structure.

It is to be noted that CS grades include roles such as [Allied Health Professionals](#), Social Workers, Psychologists, Psychotherapists, other talking therapy and mental health roles.

Civil Servants	2021	2022	2023	2024	2025
Cabinet Office	239	216	178	157	152
Children, Young People, Edu & Skills	436	482	573	616	620
Department for the Economy	42	60	75	71	69
Department of External Relations	10	14	12	15	14
Digital Services	152	198	194	186	174
Employment, Social Security and Housing	233	244	266	269	270
Health and Care Jersey	756	855	920	1007	1070
Infrastructure and Environment	298	351	383	416	421
Justice and Home Affairs	234	235	265	277	276
Non-Ministerial Departments	180	155	164	185	188
People Services	119	138	141	124	117
Treasury and Exchequer	298	347	347	363	346

The below table splits the net growth to 2021 – January 2024 and February 2024 – December 2025, pre and post the change in Government, to highlight the effects of curbing civil service growth:

Civil Servants	Net Growth 2021 - January 2024	Net Growth February 2024 - December 2025
Cabinet Office	-57*	-18
Children, Young People, Edu & Skills	152	39
Department for the Economy	34	-6
Department of External Relations	3	1
Digital Services	44	-23
Employment, Social Security and Housing	35	3
Health and Care Jersey	185	125
Infrastructure and Environment	98	24
Justice and Home Affairs	40	3
Non-Ministerial Departments	-8	16
People Services	29	-25
Treasury and Exchequer	54	-13

Between 2021 and January 2024, the number of civil servants increased by 609.

Between February 2024 to December 2025, civil servants increased by 126. This additional limited growth was primarily driven by essential front-lines services, Health and Care Jersey and Children, Young People, Education and Skills. This reflects the targeted reduction and reliance in agency and temporary staffing.

* During Covid, an additional 107 Headcount (103FTE) were employed. The -57 figure relates to FTE changes in hours and the release of civil servants on Covid Fixed Term Contracts.

1.3 Deputy R.S. Kovacs of St. Saviour of the Minister for Health and Social Services regarding the Electronic Patient Records system (WQ.52/2026):

Question

In relation to the Electronic Patient Records (EPR) system, will the Minister provide an update on –

what work, if any, has been completed to date to ensure the system is fully inclusive of all residents' health and hospital records;

whether implementation of the system has been fully completed, and if not yet completed, when it is expected to be finalised and fully operational;

whether the system is compatible with General Practitioner (GP) recording systems, and if not, why not;

how much funding, if any, has been provided from the Health Insurance Fund, as part of the Jersey Care Model; and

how much has been spent to date on the EPR system, and how much funding is allocated in future years?

Answer

(a) The 2023 PAS replacement brought all hospital/secondary care patients into the EPR from go live, with comprehensive capture of demographics and activity. The EPR already delivers electronic clinical notes—most new documentation is unstructured digital text—and structured noting is being phased in (Maternity live, Oncology underway, more specialties planned). New paper creation is now rare, but historic notes remain on paper because scanning/EDMS was out of scope. The focus is on expanding structured documentation rather than widening population coverage; Islandwide integration will follow via the Digital Health Foundations Programme and the Jersey Single Patient Record.

(b) The EPR was implemented in phases and all core components are live. A major upgrade in May 2025 added ~300 features; a similar scale upgrade is scheduled for May 2026. As a core hospital system, it relies on continued investment in RIS/PACS, LIMS, pharmacy, theatres/maternity/ED systems, plus the integration/orchestration layer. Optimisation continues (Clinical Noting rollout, SMARTS workflow enabling further Clinical Decision Support and expanded mobile tools). The main programme concludes in 2026, with regular updates thereafter.

(c) Jersey GP and hospital systems are not directly compatible (as these are based on UK systems) and require orchestration/messaging for referrals, diagnostics and discharges. Jersey's EPR ↔ GP links are limited/ad hoc; the HIMSS CCMM (Feb 2025) rated Jersey Stage 0/7 (23%), 26th/26, citing missing standards, minimal system to system exchange and fragmented silos. What works: GP test ordering into the hospital and results back to GP systems, along with electronic discharges from hospital to GP's. What doesn't: referrals remain inconsistent or paper based, exacerbated by

UK origin systems that depend on NHS standard interoperability. The Digital Health Foundations Programme is delivering modern integration, NHS electronic Referral Service connectivity, structured acute referral flows and automated, standardised transfer of care to/from GP to General Hospital and off island acute. From Q3 2027, the Jersey Single Patient Record will unify data across GP and HCJ systems, addressing fragmentation, risk and inefficiency. The ambition is to broaden access to appropriate organisations beyond the initial rollout.

d) No funding from the Health Insurance Fund (HIF) has been provided for the EPR system. There is no Jersey Care Model (JCM) funding stream, and therefore no JCM related funding has supported the programme.

The EPR has been funded entirely through approved government capital and revenue allocations, in accordance with established governance and oversight processes.

e) Up to the end of 2025, Government of Jersey expended £7.5m on deploying Maxims, with a further £1.6m allocated in 2026 to 2027 to complete the rollout. In addition, a further £9.2m has been spent on modernising other hospital systems such as in Radiology, GP order Comms, Maternity, eConsent, Ophthalmology. Finally £1.9m per annum allocated per annum to cover ongoing maintenance and management of all hospital systems, including Maxims. The £9.2 million referenced relates to a programme of hospital digital modernisation delivered between 2020 and 2025. This investment funded upgrades and replacements across a range of clinical systems, including Radiology, GP Order Communications, Maternity, Electronic Consent, Ophthalmology and related diagnostic and workflow platforms.

These projects were funded through the Digital Care Strategy, using dedicated capital and revenue allocations already approved for the purpose of improving hospital digital infrastructure. Separately, approximately £1.9 million per annum is allocated for the ongoing maintenance, licensing and support of hospital digital systems, including the Electronic Patient Record (EPR).

Regarding the new £8 million annual Digital Transformation Fund, this will not be used to fund core EPR deployment or standard operational running costs. Instead, it will be applied only to essential EPR-related development dependencies required to ensure the overall digital transformation programme can be delivered safely and effectively.

This ensures that the transformation budget remains focused on system-wide improvement and that the EPR continues to be supported through existing operational budgets.

1.4 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding a schedule of the maintenance works at Havre de Pas Bathing Pool (WQ.53/2026):

Question

Will the Minister provide a full schedule of the maintenance works that his department intend to carry out in the period before the new operator of the site takes over, in order to ensure public safety at Havre des Pas Bathing Pool, and if there are no such scheduled works, advise why not?

Answer

Jersey Business has brokered the signing of the new lease for the Havre des Pas site and is currently working to agree details of the transfer of some minor items from the previous occupant to the proposed new tenant. Final agreement of the date that the proposed new tenant will take over the premises is dependent on the agreement between the proposed new tenant and the previous occupant, and the notice period required by Standing Order 168. Until that date, which is expected to be in the near future, Jersey Property Holdings continue to undertake the comprehensive schedule of maintenance and inspections to the public areas of the building fabric, mechanical, electrical, legionella, valves and pumps and other aspects of the structure, in addition to ensuring that the cafe and kiosk areas are in a good state of repair for the incoming tenant. The pool, changing rooms, and toilets continue to be available for public use.

1.5 Deputy C.D. Curtis of St. Helier Central of the Minister for Social Security regarding support for Armed Forces Veterans to return to regular employment (WQ.55/2026):

Question

Will the Minister provide detail on what support, if any, is available specifically for Armed Forces Veterans to return to regular employment, and if no such support exists, explain why not?

Answer

The Employment, Social Security and Housing Department provides dedicated support to veterans returning to Jersey or engaging with the Department for the first time. This service is primarily delivered by an officer who is ex-military and can ensure veterans receive guidance from someone who understands their background and transition challenges.

Initial support focuses on helping individuals navigate administration and providing advice on housing and employment qualification requirements. Over time, the remit has expanded to include veterans who have lived in Jersey for several years, but whose changing circumstances mean they now need financial, employment or related support.

In partnership, Back to Work offer tailored one-to-one employment support, recognising both the valuable skills veterans bring and the unique challenges they may encounter when transitioning into civilian employment. The comprehensive training programme supports veterans at every stage, from preparing or updating CVs to interview preparation and confidence-building workshops. The support is holistic to ensure veterans receive the appropriate specialist guidance as needed. Often, the assistance involves directing individuals to the most appropriate teams, web links and relevant departmental contacts. Where necessary, the veteran support function also provides practical assistance, which may include helping veterans complete application forms and gathering supporting documentation.

The dedicated officer continues to act as a point of contact for anyone who has used this service, providing ongoing guidance and directing people to the right Government services. For those who have been off work because of illness, the Workwell service offers personalised liaison with their employer to help to navigate a smooth and sustained return to work.

Through this blend of guidance, practical support and specialist signposting, the service ensures that armed forces veterans are supported not only in securing employment but also in overcoming any wider barriers they may face.

1.6 Deputy M. Tadier of St. Brelade of the Minister for the Environment regarding breaches of planning enforcement notices (WQ.56/2026):

Question

Will the Minister advise –

the current policy on taking action on breaches of planning enforcement notices where there is a live application on the property pending decision, and if no policy exists, explain why not;

what consideration, if any, has been given to denying submission of new planning applications whilst there is still a live enforcement notice in place on a property, and if no consideration has been given, explain why not; and

what, if any, areas for strengthening planning enforcement he intends to recommend in any legacy report for the next Minister?

Answer

(a) There is no current specific policy regarding taking action on breaches of planning enforcement notices where there is a live application on the property pending decision. At present there is no legal mechanism to decline to determine pending planning applications where development is subject to enforcement action, although work is in train to bring forward proposed changes to the Planning and Building (Jersey) Law 2002 to introduce a suitable legal mechanism to prevent the submission of one or more applications when enforcement action has been taken – in this regard see (b) below. Similarly, there is no legal reason why enforcement action may not be taken when an application for planning permission is pending, although in practice enforcement action will usually be considered once an application has been determined, should the application have been submitted following engagement from the planning compliance team as part of a compliance investigation. At present, the decision of when to instigate formal or further enforcement action when a current planning application is pending, rests with the Chief Officer, and the Law Officers Department (should prosecution be the chosen option), based on case-specific professional judgement of officers. This allows each compliance case to be assessed on its own merits, taking material planning considerations and extent of harm into consideration in accordance with the Department's adopted general policies on enforcement [Regulation Enforcement Policy](#) and Regulator's Code [Jersey Regulators Code](#).

(b) As part of the Minister's programme to reform the Island's planning service and improve its efficiency and effectiveness, consideration has been given to introducing a mechanism that would allow the planning authority to decline to determine any subsequent planning application relating to land that is already the subject of an enforcement notice, where the matters raised in the application correspond to those in the notice and where the application is submitted outside the enforcement notice appeal process.

This measure is intended to ensure that alleged breaches of planning control are dealt with within the established appeals framework, preventing unnecessary protraction or delay through parallel or repeat applications.

This proposal was included in the consultation on the review of the planning appeals system held between July and September 2025. Feedback was mixed, with approximately 40% of respondents supporting the proposal and around 30% opposed. ^[1]

The Minister has, nevertheless, decided that this change should proceed, and that a new provision should enable the authority to decline retrospective applications where the development is already the subject of an enforcement notice.

Work will now be undertaken with the Law Drafter’s Office to prepare draft legislation for consideration by the States Assembly. It is anticipated that this will take place later in 2026

(c) The Regulation Directorate’s compliance strategy is published [online](#). However I intend to publish an updated compliance strategy before the next elections, setting out the broad principles for planning and building compliance. This will provide transparency on the activities of the relevant compliance activities and processes, to those involved in the process. Since the middle of 2025 the Compliance team has been functioning with a full staff complement for the first time in a number of years, and the team has worked hard to reduce the number of pending investigations. At present, with the exception of (b) above, I consider the enforcement powers as contained in the Law are appropriate and provide a number of robust tools for enforcement, including the power to issue stop notices, prosecute and take direct action to effect the requirements of notices that have not been complied with. I therefore do not intend to make any recommendations to the next Minister specifically relating to the strengthening of enforcement powers.

^[1] <https://www.gov.je/Government/Consultations/Pages/PlanningServicesReform.aspx>

1.7 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding inter-Island passengers (WQ.57/2026):

Question

Will the Minister advise, for each of the last 10 years, the total number of –
inter-island passengers travelling by air;
inter-island passengers travelling by sea; and
inter-island vehicle movements?

Answer

	Route	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Total sea passengers	GUER	76,004	76,303	84,309	90,581	4,609	16,797	43,979	57,024	92,091	53,789

Of which included a Vehicle	GUER	9,045	8,126	9,332	9,410	1,233	6,294	9,816	13,267	23,069	4,265
Total air passengers	GUER	103,056	89,840	89,244	104,489	17,742	18,725	72,230	76,915	64,567	67,900

It should be noted that, prior to the commencement of the DFDS service, inter-island sea passenger figures included Guernsey–St Malo passengers who transited via Jersey. These passengers were required to disembark in Jersey to enter the Common Travel Area (CTA) before continuing their journey and were therefore captured within the inter-island totals. As a result, historic inter-island sea passenger numbers include transit movements as well as direct Jersey–Guernsey passengers.

2. Oral Questions

2.1 Deputy C.D. Curtis of St. Helier Central of the Minister for the Environment regarding targeted inspections on agricultural staff accommodation (OQ.36/2026):

Will the Minister advise whether targeted inspections are taking place in relation to agricultural staff accommodation, and, if not, will he explain why and advise whether there is a plan to address this as a matter of urgency?

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

I can say to the Deputy that at present we are not conducting targeted inspections of agricultural staff accommodations, but I am committed to safety standards of agricultural staff accommodation, and I will work collaboratively with the Minister for Justice and Home Affairs and the Jersey Farmers Union to establish a prioritised inspection plan over the summer that ensures that minimum housing standards are met. My officers carry out targeted inspections of all rented dwellings, including staff accommodation, when either complaints are received or when licence applications are made, and for lodging houses.

2.1.1 Deputy C.D. Curtis:

Would the Minister agree that there is and has been for some time an urgent need to examine the standard of farm worker accommodation, if there is any intention to reduce risk of harm and death to people, and why was this not prioritised sooner?

Deputy S.G. Luce:

My officers have undertaken inspections of some agricultural staff accommodation as part of their routine work. Until the tragic event that occurred recently, my officers had no reason to target this industry as a whole. Therefore, I do not have in front of me any urgent need to look specifically at this type of accommodation.

2.1.2 Deputy J. Renouf of St. Brelade:

Can the Minister tell us how many inspections there have been in the last year of farm worker accommodation?

Deputy S.G. Luce:

At this stage I cannot provide a specific figure because the inspection records do not categorise visits by accommodation type. Officers do not make a note of specifics. I made a commitment in 2024 that the application form, when we introduced renter dwelling licences, would be as simple

and as possible as it could be. I specified that non-essential information would not be requested, such as property type. However, I can say to the Assembly that I will be reviewing the application form before the end of my term of office, so it may well be that future applications will need to specify that information.

2.1.3 Deputy J. Renouf:

In his answer to Deputy Catherine Curtis, the Minister said that inspections had taken place at farm worker accommodation. How does he know this if the data was never recorded?

Deputy S.G. Luce:

I am sorry if there has been confusion. I did say that farm workers' accommodation had been inspected routinely but that numbers had not been recorded. I have not got a number in front of me of how many units of staff agricultural accommodation have been inspected recently.

2.1.4 Deputy C.D. Curtis:

The Public Health and Safety Law 2018 states that landlords and employers are responsible for making sure that accommodation is fit for purpose. Can the Minister say whether anyone responsible for work permit accommodation has been prosecuted under that law?

Deputy S.G. Luce:

I do not have an answer to that question, so I cannot give the Deputy a proper answer. But I will get back to her with that information.

2.2 Deputy M. Tadier of St. Brelade of the Minister for the Environment regarding the Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974 (OQ.40/2026):

Will the Minister advise what consideration, if any, was given to the Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974 ahead of Ministerial consent being given under this law for the construction of solar farms in St. Clement, St. John and St. Mary, and if no consent was given or required, explain why not?

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

My officers gave proper consideration to the law, and particular attention was given to the requirements placed on the dual use of the land, in line with planning permissions granted for the solar farms and agricultural use, before consenting to the lease transactions.

[14:45]

Leases are subject to condition for use in accordance with the planning permissions, securing agricultural use on the land until the site is decommissioned.

2.2.1 Deputy M. Tadier:

Article 2(1) of the law says that no person shall enter into a lease of agricultural land without the consent of the Minister, and Article 2(2) goes on to say that the Minister shall have particular regard to the desirability of reserving agricultural land for bona fide use for agriculture and horticultural activity, and to ensure that the lease of any such field encourages that kind of use and the cultivation of the land. Is the Minister satisfied that he gave what the law says particular regard to all of those factors when deciding to allow for solar panels to be put on agricultural land and whether, in fact, that did enhance the use of that land for agricultural purposes in reality?

Deputy S.G. Luce:

The desirability of reserving agricultural land for the use of the inhabitants of Jersey ensures leases encourage a continued cultivation in accordance with the principles of good husbandry, and when it comes to dual agricultural use, combined operation of agricultural activity, like sheep grazing or horticulture alongside the generation of renewable energy on this land, is good. This approach

ensures that the land continues to be used productively for agriculture while also contributing to the Island's sustainable energy. When it is not used, for example in grazing sheep, the land is left to rest, which enhances soil productivity.

2.2.2 Deputy J. Renouf of St. Brelade:

Would the Minister agree with me that a field with sheep grazing on it is in agricultural use and a field with sheep grazing in it with solar panels over their heads is still a field in agricultural use?

Deputy S.G. Luce:

Absolutely I would.

2.2.3 Deputy M. Tadier:

At the last sitting we had a quote of a dystopian novel and film, and I am minded to ask the Minister whether he is aware of the 1968 dystopian science fiction novel by Philip K. Dick, which asked the question: do androids dream of electric sheep? My question would be: do we have a Minister for the Environment in Jersey who actually, in his pursuit for dual agricultural use, is perhaps dreaming also of electric sheep?

The Bailiff:

Minister, **(Laughter)** electric sheep?

Deputy S.G. Luce:

As a regular contributor to Farmers' Weekly, I am not quite sure how to respond to that. You can call them electric sheep if you like, but if we can find a way to use agricultural land to graze sheep and to create sustainable electricity, it gets my vote.

2.3 Deputy J. Renouf of the Minister for the Environment regarding the extension of mains water services to properties with elevated PFAS levels in private boreholes in proximity of the airport 'plume area' (OQ.34/2026):

Will the Minister explain why the Government will not currently fund the extension of mains water services to properties with elevated P.F.A.S. (per- and polyfluoroalkyl substances) levels in private boreholes in proximity of the airport "plume area", including residents at La Pulente, and advise in what circumstances the Government would consider paying for the provision of mains water services to these properties?

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

Between 1998 and 2009, properties in the plume were offered mains connections by the former Airport Committee. All properties have been connected with the exception of 2; they were individual choices in those 2 cases. Currently there is no programme for mains connection based on the plume area. The plume, defined by Arcadis, is the area of groundwater contamination where the level is above 100 nanograms per litre, which is the drinking water inspectorate guidelines. La Pulente is below this level and therefore not within the defined plume area.

2.3.1 Deputy J. Renouf:

The residents had their water tested by Jersey Water relatively recently and it was determined that the signature of the water had the same signature as the plume. In other words suggesting that the water was contaminated in the same way as the main plume area. If this were the case, would the Minister be prepared to sanction the extension of mains water, since it would be the same pollution that other residents in the plume area had also benefited from a mains connection?

Deputy S.G. Luce:

Groundwater can contain P.F.A.S. from a range of sources, including potentially the historic airport activities. My officers have not confirmed the direct link in the case of La Pulente, but what I can say is that P.F.A.S. levels in drinking water in that area are below the drinking water inspectorate guidelines. I am not going to say anything very much more, other than we did put a requirement on those houses to be put on to mains water that were above 100 nanograms per litre, and that the homes in the La Pulente area are not in excess of that number.

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

As the Minister said, a number of properties in St Brelade with wells and boreholes have been connected to the mains to avoid further contamination, but there does not seem to be a consistent approach. Some households have had to pay for themselves and for others it was provided. But some are paying water bills and some are not. In the cases where they are not, it is Ports that are paying. Could the Minister explain why there is no consistent approach to the provision and billing of mains water services to those households?

Deputy S.G. Luce:

It is not my understanding that there is an inconsistent approach to this problem. As I have said, houses that were in the defined plume area, which had a water level reading of over 100 nanograms, were under an agreement from the Airport Committee of the day to have a mains connection made to them. If other houses have had mains connections which they have had to pay for, I can only presume that they are outside of the plume area or that the testing that was done to their water supply was less than the required amount in order for them to get a free connection.

2.3.3 Deputy H.M. Miles:

It is not so much about the connection as the ongoing water bills. Some households are paying for their own water; other households, their water bill is being funded by Ports of Jersey. This is what residents are telling me. Would the Minister agree to audit those households to ensure that there is a level playing field and to ensure fairness to all households?

Deputy S.G. Luce:

Water bills paid by the Airport are confidential, as far as I am concerned, but they are certainly not part of what I would regard as Government policy. If Ports want to come to a private arrangement with certain houses to pay for their water bills that is up to them and their board. But all I can say is the consistency has been applied. We have connected houses to mains water free of charge, under that initial plume area, where the levels of contamination were above 100 nanograms per litre. That is what is being done. As far as I am concerned, this is a Ports issue that the Deputy is talking about, not a Government issue.

2.3.4 Deputy I. Gardiner of St. Helier North:

From the Minister's answers, I understood that there is no level found at La Pulente to justify connecting to the mains. But from the question from Deputy Renouf, I understood that Jersey Water has found traces, a signature, in the water. Would the Minister explain the difference and if the Minister would agree to testing by the department of La Pulente boreholes to settle the question whether the plume's signature is found or not?

Deputy S.G. Luce:

I have had an amount of correspondence with the residents in the La Pulente area, and I can tell the Deputy that I instructed my officers to arrange tap water testing at the 9 properties that are not connected to the mains water in that area. Jersey Water took those tests. None returned P.F.A.S. levels above the water inspectorate guidelines, as I have said. Four properties, which have in-home filtration under the sink, tested lower than one nanogram per litre. I can only go back to the area

and say the area defined as the plume is over a particular 100 nanograms per litre. The connections and stuff like that were done under historic with the Airport Committee of the day.

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

I wonder if the Minister would agree to meet with the residents in this area, and if not why not?

Deputy S.G. Luce:

I have, as I said, had a number of email exchanges with the residents of the area. I owe them another response, which I will endeavour to do at the end of this States sitting. As for meeting with them, I am not sure what a meeting can achieve. I have certainly set my case out very clearly and, as much as I sympathise with their concerns, there are solutions, which officers of mine have visited them all to advise them on those solutions. I could not say more than that, really. They are asking for mains water supply. I am aware that that would have a considerable cost involved with it, although cost is not a consideration for me particularly. But as for a meeting, if the residents want to meet me I will meet them, but I can say here and now that I am not sure that there is anything I can offer them other than what I have done so far, and what I will do in the forthcoming email that I will send them at the end of this week.

2.3.6 Deputy M. Tadier of St. Brelade:

The Parish and District representatives, as well as others, have been copied into or been sent the email that the Minister received, where our constituents are saying that they believe it has been unequivocally confirmed that their boreholes contain signature firefighting foam from the airport, but also the fact that the levels that they have seen in their water of P.F.A.S. have increased from 2022 to 2025. I note the Minister saying that he will be responding to some of the latest emails that have been sent, but does the Minister agree that - like other colleagues who have asked - first of all this increase, if it needs to be clarified because there does seem to be a discrepancy in what the Minister is telling us with what the residents are telling us they have been told by the scientific panel? Secondly, that all residents in the area need to be treated equally if they are all experiencing consequences of that firefighting foam pollution.

Deputy S.G. Luce:

The connection between the P.F.A.S. in the water in the La Pulente area and the airport has not been confirmed to me. It was suggested, I am told, informally at a meeting of the P.F.A.S. panel with some residents. I can definitely say in order to the questions around has this water been analysed to make sure that it has the same signature as the firefighting foam at the airport, that this work has not been done on those specific water tests taken from that area. The scientific P.F.A.S. panel did not undertake that type of testing. That type of testing was done by Arcadis. It is usually expensive. But that is not the reason for my answer. The reason is that Arcadis have not been asked to test the water from the La Pulente area. Therefore, I can stand here now and say I have no detailed evidence in front of me to tell me that this is absolutely the same contamination that has come from the airport.

2.3.7 Deputy M. Tadier:

Does the Minister accept the statement of the residents that the P.F.A.S. in their water has increased since 2022?

Deputy S.G. Luce:

As I said, I instructed my officers to arrange tap water testing. It is quite a while now, I cannot quite remember the date that those tests were done. But if the residents are telling me that - and I have nothing else to go on, I have to take them on their word - it would certainly be, in my experience, unusual inasmuch as other tests in the area are falling.

2.3.8 Deputy J. Renouf:

It seems to me as if the Minister is dancing around the issue here. What we have is a situation where the residents are reporting their P.F.A.S. levels are rising. They have been told, after a meeting with the P.F.A.S. panel, that the signature was the same - or the fingerprint rather - of the P.F.A.S. in their water was similar, if not the same, to the airport plume. The Minister now says that he does not accept that that is proven to him, therefore, why will he not agree to do the testing that would settle this matter once and for all? Surely that is the least we can do for those residents. [15:00]

Deputy S.G. Luce:

I take the sentiment of the Deputy's question on board, but I have to ask myself, if I committed to a very expensive test of the water for a few residents in the La Pulente area where the water coming out of the ground was not above 100 nanograms per litre, if I agreed to do that, I would then be obliged, if I am going to be consistent, to do it for anybody else on the Island. There is no direct link that I can see at the moment with evidence to show that La Pulente is linked definitively to the airport side. Therefore, I have to treat La Pulente area as outside of the plume area and then as the same as any other area on the Island. Arcadis have been brought over from the U.K. (United Kingdom) to do testing and we may have to look at it, but I cannot unequivocally say that I will do that because once I set the precedent, I might be opening myself to multiple claims for similar testing throughout the Island, which could run into many hundreds of thousands of pounds.

2.4 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding the cost-of-living crisis (OQ.37/2026):

Will the Minister advise how the cost-of-living crisis is being addressed by the current Government and explain which groups of Islanders, if any, are benefiting most from Government interventions and in what way?

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

As Members will know, Jersey has limited options to control the cost of living because more than 95 per cent of what we consume is imported. This means global economic pressures and geopolitical instability feed quickly into local prices, and inflation elsewhere soon appears across our economy. Despite these constraints, the Government is taking clear and targeted action to support Islanders where it can across wages, housing, healthcare, childcare, food and energy, aimed predominantly to the lower income households, although some support is not means-tested and available to all Islanders. We have established a living wage programme. Income support has been increased by 8.6 per cent in 2024, 4 per cent in 2025 and a further 4 per cent in 2026. The Community Costs Bonus has increased significantly over the last 4 years. We continue to promote competition and value across the economy by working with and supporting and funding the Jersey Consumer Council. The First Step assisted ownership scheme has been launched with £12 million of Government funding, helping 65 households to go into home ownership. The Government subsidy for G.P. (general practitioner) appointments and home visits have been increased, as has the subsidy for appointments with nurses, allied health professionals, and for G.P. telephone consultations, thus reducing the cost of primary care. Additional support for pensioners now covers eye tests, glasses, lenses, dental treatment, dentures, chiropody for households with tax bills up to £1,000. Fifteen hours a week of funded nursery education during term time has been extended to all children aged 2 and 3. This can save families up to £6,000 a year. The scheme is now open for applications. Nutritious hot school meals are being provided across all Government-funded primary schools at a cost of £2.50, with free meals for eligible households. Government fees and duties and charges have been kept as low as possible, usually no higher than 2.5 per cent. Tax allowances have been increased with the standard allowance of now £21,250, which is significantly higher than the equivalent in many other comparable jurisdictions. Child allowances have also

been increased. We have continued to control and bear down on public spending because stable public finances keep prices at steady. Taken together, these measures ...

The Bailiff:

Your answer has been very long. Is it going to come to an end quite soon?

Deputy L.J. Farnham:

I am sorry, we have achieved so much, you see. It took a bit too long, I do apologise. I wanted to get through as much as I can, but I will give way on the last paragraph.

2.4.1 Deputy K.M. Wilson:

I will not be as long. I thank the Chief Minister for detailing his achievements, but the fact is that cost of living still remains the number one issue for Islanders. At the latest opinion survey, 88 per cent of under-35s mentioned this, as did 80 per cent of over 55 year-olds. So having introduced all of those wonderful interventions, can the Chief Minister explain if any detailed analysis has been undertaken on its cost-of-living measures, and if so, will he publish this analysis rather than just report policy intention?

Deputy L.J. Farnham:

We have a number of surveys that monitor how the economy, how Islanders are doing, including Statistics Jersey, Business Tendency Surveys, Opinion and Lifestyle Surveys. I understand that the cost of living is still the number one priority, and this Government is doing as much as it possibly can, given the limited levers we have to deal with. We have a cost-of-living group chaired by the Minister for Sustainable Economic Development, which is also working on other areas and other considerations of how we continue to bear down. But the fact is we are largely at the mercy of the global economy and geopolitical instability, which quickly finds its way back on to our shelves. However, we will continue to do as much as we can to reduce the burden on Islanders, and although with our cost of living, the R.P.I. (retail price index) now is running at 2.8 per cent. Cost of living is slightly different to that. That is why we are targeting to the lower income households. We have to try and find ways of doing more to help Islanders and give Islanders more confidence and continue to bear down as much as we can. But there are no easy answers.

2.5 Deputy M.B. Andrews of St. Helier North of the Minister for Education and Lifelong Learning regarding the number of attendees to courses funded by the Skills Development Fund (OQ.35/2026):

Will the Minister advise the total number of Islanders who have attended courses funded by the Skills Development Fund since its inception?

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

The number is 2,072.

2.6 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding the Climate Council's work (OQ.39/2026):

Will the Minister advise, in relation to phase 1 of the Climate Council's work, whether he has received a copy of its report, and, if so, advise when it will be published and what consideration, if any, the Council has given to how the proposed policies regarding the importation of petrol and diesel vehicles will affect the drive to net zero emissions by 2050?

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

I am pleased to confirm that I have received a copy of the Climate Council's report and will be making a statement, as Members may have noticed, on this document later in the sitting; in fact, later this afternoon. The Council's report has now been lodged as R.37/2026, and has been

published on the States report section of the Government website in line with the requirement for it to be published by the end of Q1. The Climate Council undertook their review between October 2025 and the end of January this year before finalising their report. The recent consultation on the phase out of petrol and diesel vehicles ran from 6th November until 30th January, and as such, the Council have not had access to any of the data gathered through the consultation process.

2.6.1 Deputy J. Renouf:

The report talks about the need for clear, consistent and firm commitments to phase out internal combustion engine vehicle purchases. Why is he doing the exact opposite of that?

Deputy S.G. Luce:

The first thing I would say, that making a decision not to do something is actually still making a decision. But I did come back recently from a meeting with other Environment Ministers in the U.K. with 2 words in my mind, and that was “just transition”. As with all things, when it comes to saving carbon, and many other things as well, we have to consider how everyone on this Island will be able to afford to do their bit. It was made very clear to me that by banning used vehicles from being imported on to the Island after 2030 we were taking away the ability of some of us, who are less well-off, to be able to change their vehicle. For that and many other reasons I decided, very clearly in my mind - it was not indecision - I made a decision not to follow that path that was put into place by the roadmap some years ago.

2.7 Deputy K.M. Wilson of St. Clement of the Minister for External Relations regarding future generations in Jersey (OQ.38/2026):

Will the Minister advise what, if any, long-term international or external relations strategies have been produced that explicitly consider the interests of future generations in Jersey, and if no such strategies have been produced, explain why not?

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

The common policy on external relations is the strategic framework that guides the Government of Jersey’s international engagement. It is cross-cutting and long-term in its ambition to protect and promote the economic, social, environmental and cultural resilience and prosperity of the Island and, in turn, the interests of our future generations. The financial services policy framework sets out the vision and strategic priorities for the financial services sector in Jersey, ensuring we have an effective roadmap for the success of the industry in future years. Most recently, given the ever-changing geopolitical environment and growing international competition, I commissioned one of the biggest and most comprehensive reviews of Jersey’s financial and related professional services sector. The review will include recommendations across our tax regime, business environment and our external growth strategy, and will be communicated in the coming weeks.

2.7.1 Deputy K.M. Wilson:

In 2018 the Future Jersey Vision set out the 10 Island outcomes, which was obviously superseded by the Common Strategic Policy. Can the Minister give examples where the specific work that his department is doing has directly supported some of those ambitions both in the Common Strategic Policy, and in the Future Jersey report, increasing opportunities for young Islanders, other than in the finance industry?

Deputy I.J. Gorst:

I can give examples. As the Deputy hopefully knows, we support other departments in the international partner schools programme with student exchanges. We have the Franco-British Council partnership, which is new last year, and offers 2 young leaders places to professionals under 40 with connections in Jersey. My Assistant Minister is leading on diaspora work out of the London office, Jersey Connections, which is keeping in contact with Islanders who have moved

away. We have got educational partnerships with the Portuguese Camões Institute, J.F.L. (Jersey Finance Limited) runs Future Connect initiatives tailored to junior to mid-level professionals, and there are many others as well.

The Bailiff:

We now move on to Questions to Ministers without notice and the first period of questions are questions for Minister for Sustainable Economic Development.

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

3.1 Deputy M.B. Andrews of St. Helier North:

I have held talks with Propertymark in the U.K. about whether a law for estate agents should be introduced. I would like to know whether the Minister would be supportive of a law being introduced during the next term of office.

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

The Deputy in his question has not explained exactly what such a law would do, but obviously the Deputy does know, and the Assembly knows, that in response to the Deputy's proposition of a couple of years ago, we have been working to bring in regulations which ensure that estate agents have to be held to a certain standard. That is involving 2 U.K. indices - would be the better way of saying it - and that work continues. It was not possible to get the law drafting completed in this term of office, but it is very close, and it should be there early in the next term of office. There is law making being done in this area.

3.1.1 Deputy M.B. Andrews:

I will just clarify. This would be a purpose law to regulate the conduct of estate agents, such as the handling of clients' money and also for block property management, and there will be other areas as well.

The Bailiff:

Do you have a question connected to that?

Deputy M.B. Andrews:

Is the Minister in support of that being covered in the law?

Deputy K.F. Morel:

I thank the Deputy for his question. I think it is worth seeing how things work with the existing proposition and bringing those regulations in and seeing how they work. I would not want to jump to lawmaking for the whole area at this point, especially as we do not know what the impact of these quality standards regulations will bring. I would hope that they would move standards in such a way that we would not need a law and bigger law in the future.

[15:15]

Certainly I am no expert, but I would have thought things like money being held would also be subject to the rules of solicitors, who often are the parties that actually hold monies on behalf of clients and so on. I would want to know personally a bit more about how the regulations in draft perform, once they are brought in, and then seeing what happens. We should go after that.

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

Further to the Written Question 28/2026 regarding the social environmental and economic enterprise pathway pilot, and noting the final report will now be published in April 2026, will the Minister advise what specific actions he would like to see take forward following the pilot to support the development and growth of social enterprises in Jersey?

Deputy K.F. Morel:

I thank the Deputy for her question. It is too early for me to say exactly what kind of detailed recommendations I would like to see brought forward, but what I would like to see is social enterprise becoming much more embedded as a concept within Jersey's economy. There are some superb social enterprises that people and Members will be aware of, such as B.S.K. (Beresford Street Kitchen) or Scoop, doing incredibly well. It was interesting, I went to a female founder's enterprise event on Thursday evening, and one of the things I noticed, of the 4 businesses being pitched by female entrepreneurs, 3 of them were really focused in the social space. I had been to one a week earlier, which is male entrepreneurs, and that was much more focused on standard, I guess, economic opportunities. But it was noticeable that these female entrepreneurs were seeking to solve issues relating to dementia, relating to road traffic accidents and others. That again spoke for the need in Jersey to have a much clearer social enterprise framework. I once said I visited Cardiff in 2021 or 2022 with the British-Irish Council. At that time, it was believed that social enterprises in Wales had a value of £4 billion. At the time, Jersey's entire economy was £4 billion. So social enterprise in Wales was the size of the whole of Jersey's economy, thereby showing that social enterprise has a real monetary value as well as the wider social value. I would like to see us in Jersey have a much stronger sense of social enterprise, and it is something I wanted to do in this term of office. We have made progress, but have not completed the work.

3.2.1 Deputy H.L. Jeune:

I believe the answers to my Written Question 28, does allude to some actions that potentially are possible around public procurement, and being able to see the Better Business Grant Programme maybe focusing a bit more in the future, in the next round, on social enterprises. But one of the areas which the Minister just alluded to is the fact of defining social enterprise to be able to benefit from any future. Would the Minister be able to indicate if he would be in support, and whether the report suggests that there needs to be a more specific definition on social enterprise, for example, in legislation, to help social enterprises become more embedded in Jersey's economy?

Deputy K.F. Morel:

I thank the Deputy. The short answer would be yes. I do think we need a better definition, while also acknowledging that one of the beautiful things of social enterprise is that it is very hard to see where the opportunities will arise and where people will see those challenges. You do not want a definition that restricts people from developing social enterprises. It is a careful balance. I think it is really important to note that the Better Business Support Package is available to social enterprises today. It is available to all employing organisations. From that perspective, if a social enterprise employs people, they are able to take grants through the Better Business Support Package today. But I do think it is something that we in Jersey need to have a much better understanding of, and the value of social enterprise. The reason I mentioned the events I went to last week is because it is a small survey but 2 events, 8 people, and there was a definite male-female difference between the things that were inspiring women were clearly different to the things that were inspiring men. In the 2 sessions that I saw, women were much more interested in those social elements, and women are superb business leaders. We need in general to see more women at the top of organisations in Jersey, and if that means social enterprises is one of those routes then I think that is absolutely worthwhile.

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

Could the Minister update us on the progress of the new Jèrriais strategy?

Deputy K.F. Morel:

I thank Deputy for her question. The Jèrriais strategy 2022 to 2025 obviously finished at the end of last year and development is beginning on the second ... it will not be the second, it will be another. I think it will be the third Jèrriais strategy. We do intend that next strategy to be a longer strategy, longer than 3 years, so more likely a decade. I am very pleased to say that I have been working with the Minister for Education and Lifelong Learning to confirm the budgetary responsibility for Jèrriais. The outcome of those talks was that the Jèrriais budget in its entirety will move to the Economy Department, and then the Education Department will be paid for the teaching work. That will ensure that the non-teaching money, so to speak, the non-teaching funding, can be deployed for the wider strategy and cultural aspects of Jèrriais, which has been challenging over the past few years.

3.4 Deputy J. Renouf of St. Brelade:

The Climate Council report talks about the potential to increase taxes on private aircraft movements to help fund the Island's decarbonisation, relating it to the polluter pays principle. What is the Minister's view about the appropriate level of taxation of private aircraft, given its current very low level?

Deputy K.F. Morel:

I do not have a clear view on what the appropriate level is. I do know that we work to the Ports to bring in a level of taxation. To be honest, off the top of my head, I could not confirm what that level is. I am sure the Deputy does know it. But I think it is something that we should tax. I do not have an issue with that. I know Ports, through charges, were bringing in that taxation through ports charges. But I do not personally have a particular view as to where that should be set. I would need to see analysis before coming to that conclusion.

3.4.1 Deputy J. Renouf:

If I may stick with the Climate Council. I think it is £50, by the way, for the plane, but I may be wrong. The Climate Council report also said that the hybrid electric ferry, which is a feature of the new ferry contract, would require portside infrastructure and grid reinforcement with investment in Jersey and in France. Was the Minister aware of this and what measures has the Minister taken to ensure that this will be available?

Deputy K.F. Morel:

The Deputy is absolutely right. Electrification of the fleet, whether it is full electrification or hybrid, would require or does require infrastructure development at the port on both sides. Ports of Jersey are very aware of this and, in their Elizabeth Harbour Plan Development, that is one of the elements that they know they need to undertake, is an appropriate electrification of that. This is not insubstantial infrastructure development. I have been to Portsmouth International Port and seen the work that they have been doing to bring electricity to the port side so that it can be used by everything from ferries to cruise liners. It is substantial, as I am sure the Assembly can understand, but Ports are very aware of that. Saint-Malo is in the same situation, and their development to Saint-Malo Port to also bring that electrification in, as ours will, too.

3.5 Deputy M. Tadier of St. Brelade:

On 19th March 2024, there was a debate on cash usage and cash acceptance in sports centres. During that debate, the Minister said the following. He says: "I think a better proposition, rather than the one before us, would be one to make it effectively a law that cash has to be accepted by places, because I do believe we are talking about human rights here." Does the Minister hold that view still or has he changed his mind?

Deputy K.F. Morel:

I thank the Deputy for his question. Nothing nicer than being reminded of something you said 2 years ago. It is always a joy. Actually my view is very similar and it has stayed the same. I believe Government has a particularly important role in ensuring that cash is available in the economy. I think that Government should be held to that and must not withdraw cash from the economy. I believe Government should take cash and hence the sports centres. I have always stated that from a business and private organisation perspective, it is much more about their choice. Cash brings costs to businesses. Certainly, in discussing with someone - such as my wife - about charities, there are large costs to banking cash for charities. For instance, there is an advantage in not accepting cash in some situations. I still stand on the side of Government should be required to provide cash and accept cash. But for private organisations, it should be much more a matter of their choice.

3.5.1 Deputy M. Tadier:

That is an interesting way of putting it, because the actual words of the Minister, he is talking about a proposition to require Government to accept cash. He says: "I think a better proposition" so a better proposition than the one that was in front of him, which was about sports centres, was to make it effectively a law that cash has to be accepted by places. In that, he did not specify that he was talking about Government only. He did go on in his speech to say that for him he thinks it is a fundamental human right to privacy, freedom and autonomy, which is at stake here. Is the Minister saying that in that statement he was only talking about Government and not places more generally?

Deputy K.F. Morel:

Obviously, unlike the Deputy, I have not sat and looked at my quote from 2 years ago, so I cannot be 100 per cent sure exactly how the context was. My understanding of my views over time, and I believe I discussed this with the Deputy, is that my focus has been much more on the Government side, ensuring Government accepts cash. I would prefer businesses to take cash, but I think it is difficult for businesses to be mandated to take it because of the extra costs involved. As I said, charities, I know that is a similar situation. I do not dispute what the Deputy is saying, but I do not have the perfect context to understand it. I may have been referring to wider businesses, or I may have been referring specifically to Government. I do not know. But my view tends to stay the same. Government is where I expect the mandate to be.

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

The first official analysis of Jersey's 20-year deal with the Danish operator, carried out by the Economic and International Affairs Scrutiny Panel, has concluded that the flat rate system of importing and exporting goods has had more of an impact on the cost of living than Government economists predicted. Does the Minister accept that his department got that wrong?

The Bailiff:

Minister, you have got 45 seconds.

Deputy K.F. Morel:

No, I do not accept that anything, when you are looking to predict the future, is getting things wrong. What I would accept is that the Scrutiny review talks about the cost of food; the 0.4 per cent that we talked about was the cost of living. They are 2 different things in 2 different measures. So, no, I do not accept what the Deputy is saying.

The Bailiff:

That brings that period of questions, in effect, I think, to an end. We now move on to the second period of questions for the Minister for Treasury and Resources, and the first question is from Deputy Andrews.

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

4.1 Deputy M.B. Andrews of St. Helier North:

Following the chief officer making his comments in the public hearing of the Public Accounts Committee, why did the Minister for Treasury and Resources and the rest of the Council of Ministers not compel the chief executive officer to reduce Government expenditure?

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

I thank the Deputy for his question. I think compulsion is a very difficult thing to achieve. The chief executive has been given a very clear steer by the Chief Minister and the Council of Ministers that we need to reduce the scale of Government, but already we have talked about a new law to regulate ... just in the last 10 minutes, we have talked about a new law to regulate estate agents, a new law to regulate cash; all of those things cost money and we need to stop. I absolutely agree with the chief executive that we need to look at other ways of solving problems before we start setting up more new bodies and creating more new laws which create costs in bureaucracy, and unfortunately it costs. We have asked him to do that. The notion that we can just make 1,000 or 2,000 people redundant tomorrow is absurd. It would not be helpful to those people or the economy. Cutting costs; we made a very good start, and I think we should all commit to doing that and continuing to think about the way in which we spend money in this Assembly.

4.1.1 Deputy M.B. Andrews:

The chief executive officer mentioned that the public sector running a budget in excess of £1 billion was something of a surprise to him. I want to know whether the Minister for Treasury and Resources is of the view that Government expenditure can be reduced and, if so, what needs to be done to reduce it.

Deputy M.E. Millar:

I am sure that it can be reduced, and we have a very clear focus on doing that. We have already started by taking out unnecessary vacancies by reducing our spend on consultants, but there will always be a need for a level of specialist expertise. There will be people who have skills that we simply cannot maintain in the Island, and we need to bring people in to do that.

[15:30]

We need to think very carefully, every time we pass a law, about expanding that expands bureaucracy and red tape, and requires people in Government to do jobs that creates new jobs. I agree that we need to think carefully about our spending and look at how we can bring that in. Everybody has a part to play in, as I think I have probably said several times, how we engage experts, how we respond to experts and how we basically do the business of Government.

4.2 Deputy J. Renouf of St. Brelade:

Could I ask a very direct question? Does the Minister agree that the Government should only cost £1 billion a year to run?

Deputy M.E. Millar:

I think it is difficult to say that it should only cost £1 billion, but I think it is right that we should aim to live within our means, whatever those means are.

4.2.1 Deputy J. Renouf:

I think members of the public might be a bit confused because the Government has increased Government spending over the next 4 years in its budgets. Does she understand the chief executive's frustration that a Government that talks about the benefits of cutting spending has actually increased its spending?

Deputy M.E. Millar:

There was no growth bid. We do have plans to restrain spending and we will do that by returning, I hope in the next term, to multi-year budgeting. I think the annual cycle which became a pattern of departments coming forward and asking for more money to do more new shiny things has led to the increase in growth. I think if we go back to multi-year budgeting, that will help. The growth this year is less than it has been in previous years under previous Governments. It focused specifically on the Common Strategic Priority and key risk issues. We are regularly seeing reports that say we have not spent enough money in various sectors. There is a very careful balancing exercise to make sure that money is spent to address our most significant risks and not on nice-to-haves which people think would be a great idea in a big jurisdiction but which are not affordable in small scale.

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

The Minister signed an M.D. (Ministerial Decision) on 6th March to proceed further with the development of the I.F.C (International Finance Centre) 2 building, which has conditions regarding the occupation of tenants. Can she confirm whether those conditions have been met yet, and if not, the progress of any conditions to be discharged prior to commencement?

Deputy M.E. Millar:

States of Jersey Development Company are working very hard to secure tenants. They have a number of tenants that they are speaking to for that building. What has become clear in part of Deputy Gorst's competitiveness work is that there is a real demand for real estate. People are coming forward. They are looking for high quality office building. That is one of the reasons why we are keen that that building proceeds as soon as possible. So there will be no shortcutting. The States of Jersey Development Company will be aiming to meet the pre-let. They are looking at that and they have funding. They will be looking to sign appropriate contracts with all relevant third-party assurances in place.

4.3.1 Deputy A.F. Curtis:

I believe the plans for I.F.C.2 include food and beverage spaces. Can she confirm whether there are still vacant food and beverage spaces within the I.F.C. development and whether that has been discussed as part of the plans for occupying the site in general?

Deputy M.E. Millar:

I cannot speak to food and beverage in I.F.C. 2, which is the building about to be begun. With respect to that part, the anchor tenants are more likely to be financial services who will be big businesses paying ... who will really support the building. Food and beverage will be - I do not say ancillary in any kind of derogatory way - but they will be ancillary to the main tenants. They will help create the sense of place that we want in the international finance sector. I am afraid I do not know if there are existing F. and B. (food and beverage) spaces still available in what has already been built in the I.F.C. I know that to the extent there may have been a space still in the Horizon Development. I know that J.D.C. (Jersey Development Company) are working very hard to secure suitable tenants for any units remaining unoccupied.

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

At the end of the Government Budget debate at the end of last year, the Minister said that there were plans underway to curb even more public sector growth than the ones that we have heard

recently and that concrete proposals would be brought to States Members early next year. I was wondering if the Minister could update the States Assembly on these proposals.

Deputy M.E. Millar:

States Members were invited to a States Members workshop in February where we discussed some of the options that were available. Council of Ministers also discussed some of those options. Some of them are quite far reaching, some will need more work. I think, frankly, we are just out of time. That work will be picked up, I sincerely hope, by the new Government.

4.5 Deputy J. Renouf:

Similar to Deputy Alex Curtis. Is the Minister able to update us on the status of the J.D.C.'s Westward development in South Hill?

Deputy M.E. Millar:

I have recently sent an M.D. to allow J.D.C. to enter into a J.C.T. (Joint Contracts Tribunal) Design and Build contract for development of the site. They have also secured a new revolving credit facility, which enables them to commence more than one development at a time so they are able to proceed with Westward in addition to all the other work. A third-party assurance review has been completed and has not identified any matter which raises risks that cannot be mitigated or addressed. That approval is required for J.D.C. to progress its strategic objectives of delivering new homes and is aligned to its strategic business plan. I can also say - before someone asks the question - at the end of last week, they have achieved pre-sales of a little over £10 million, which is about 15 apartments.

4.5.1 Deputy J. Renouf:

I thank the Minister for that update. I wonder if that information could find its way into the public domain, suitably redacted where necessary, just to ensure full transparency about the progress of that development.

Deputy M.E. Millar:

Can I just clarify what information the Deputy wants to go into the public domain?

Deputy J. Renouf:

The third-party review and the M.D. that she is talking about.

Deputy M.E. Millar:

The M.D. has already been released. It was done ... I do not know the date; 2026-169. So it is there. The third-party assurance review, I cannot remember if that is something that we normally publish but it would be available to Scrutiny, redacted as need be if they wish to see it.

4.6 Deputy M. Tadier of St. Brelade:

It stays in the similar theme. Does the Minister believe that there are synergies that could be made perhaps by looking for better ways of S.o.J.D.C. (States of Jersey Development Company), Andium Property Holdings, for example, being able to work together more efficiently?

Deputy M.E. Millar:

I thank the Deputy for his question. I am sure there is scope for synergies but the previous Assemblies have set Andium up with a focus on social housing and J.D.C. with its ... it is more about regeneration placemaking. I am sure there are crossovers that could be explored in due course.

4.6.1 Deputy M. Tadier:

Does the Minister for Treasury and Resources believe that this might be one example of many that the Chief Executive is talking about when he says that Jersey needs to stop thinking of itself as a big country?

Deputy M.E. Millar:

I cannot speak to what was exactly in the Chief Executive's mind, but I think both Andium and J.D.C. have had different paths to where they are now. I think the Deputy asked the Minister for Sustainable Economic Development if he would change his mind. I think we must all always be open to changing our minds about a strategy and how we do things and whether there is a better way of doing something. I suspect there is something that could be considered there but it is not necessarily at the top of my agenda certainly right now.

4.7 Deputy J. Renouf:

Last one, I promise. With regard to the ombudsperson and with publication of the Assistant Minister's report apparently imminent, is the Minister still of the view that the office of an ombudsperson will only be created over her dead body?

Deputy M.E. Millar:

I am disappointed not to have been questioned about the Climate Council. I have not changed my mind. I do not support the notion of a public services ombudsman. We all equally are entitled to have our different views. I think an ombudsman will prove to be very expensive and really will cost us a huge amount of money. The problem of complaints ... if there is a problem, how we address complaints can be dealt with in other ways. We need to think about ways that are proportionate and scalable for Jersey.

4.7.1 Deputy J. Renouf:

Can I ask what conversations the Minister has had with the Assistant Minister about this matter?

Deputy M.E. Millar:

I have not had specific conversations with the Assistant Minister. When it has come to the Council of Ministers, I have always expressed my view. I am sure if it comes to the Council of Ministers again, then I will do likewise.

4.8 Deputy A.F. Curtis:

The Minister mentioned the new revolving credit facility for S.o.J.D.C. Just for the benefit of the public who may not be so aware of it, is she able to clarify the amount of the revolving credit facility and whether there is liability on any of S.o.J.D.C.'s other assets it owns, should there need to be a call on that should the development not reach the value that is required?

The Bailiff:

You have 30 seconds, Minister.

Deputy M.E. Millar:

I am not sure if I noted the number and I do not want to get ... yes, I do. Revolving credit facility of £165 million with the potential recording a further 85 million. I do not believe that is secured on any of the properties specifically but I cannot be positive about that because there have been a number of financing ... J.D.C. does not borrow unless it is able and satisfied that borrowing will be able to be repaid as developments are completed in due course.

The Bailiff:

That completes your questions. Now we move on to questions without notice to the Chief Minister. The first question is from the Connétable of St. Saviour.

5. Questions to Ministers without notice - The Chief Minister

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

It is further to developments in the Middle East. I am sure the U.K. Government are leading on this, but is the Chief Minister aware of any Jersey residents who are in urgent need of repatriation?

Deputy L.J. Farnham (The Chief Minister):

We have received communication from 7 Island residents, representing 16 Islanders, that are in communication with the External Relations Department now and discussing areas where we may support them. The advice remains that the first port of call for information and up-to-date guidance should be with the Foreign, Commonwealth and Development Office.

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

Earlier, the Minister for the Environment answered questions in detail regarding P.F.A.S. at La Pulente. Could I ask the Chief Minister, in his view - and speaking as the Connétable of the Parish - would he support financing the extension of the water system to those affected houses in conjunction with the Jersey New Waterworks Company, given that the residents are frightened - I can use that word - by the fact that their water may be polluted?

Deputy L.J. Farnham:

In principle, yes, I would. But also align myself with certain elements of the Minister for the Environment's answer. I can refer Members to the Investing in Jersey programme. One of the purposes of that is to extend water and mains drainage right across the Island with priority being given to areas with high P.F.A.S. in.

[15:45]

That is a programme that is a little bit down the road. In principle I would, but I do sympathise with the fact that we have to be even and equal. We have guidance at the moment that we are working to.

5.2.1 The Connétable of St. Brelade:

Just to confirm, would the Chief Minister work with the waterworks company to ensure that work comes sooner than later?

Deputy L.J. Farnham:

I will do my very best, depending on the results of the election. **[Laughter]**

5.3 Deputy J. Renouf of St. Brelade:

The Chief Executive told the Public Accounts Committee that he struggled to see why Government should spend more than £1 billion a year, rather than £1.3 billion a year that is currently budgeted. Does the Chief Minister also think that £1 billion a year is a realistic budget for Government in Jersey?

Deputy L.J. Farnham:

Certainly, I remember being surprised in 2023 when the expenditure surpassed £1 billion. But since then, we have had to contend with high inflation. Inflation alone over the last 3 years has put in excess of £100 million on the costs. I think getting down to £1 billion would be challenging but I certainly agree that we need to continue in the direction of not only curbing the growth, we have been curbing the growth. The increase in real terms, expenditure in 2025 increased by 1.5 per cent; that is a lot lower and it is budgeted to increase in real terms by 2.5 per cent this year. To use a phrase I keep using, we have to and the next Government has to double down a little bit further to make sure we are getting the best value from the public service.

5.3.1 Deputy J. Renouf:

Given that his Government increased spending on education and health and childcare and so on, where does the Chief Minister think that savings should come from in the future?

Deputy L.J. Farnham:

I think we can make savings by continuing to restrict or bear down on recruitment, consultancy, reprioritising. I think what the C.E.O. highlighted with the need to focus on what works best for Jersey and how we prioritise things, we have increased expenditure in health and education because we have seen significant underinvestment in those 2 areas. In relation to health, health inflation has been operating well above a normal inflation. Had we not done that we simply would not have been able to keep up with the level of service that the public quite rightly require.

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

In the same day in the newspaper, the Chief Executive has called on the Island to stop behaving like a big country and uses the fire service as an example of where, potentially, we have adopted fire standards, I paraphrase, but probably with the costs to go with it and yet at the same time the C. and A.G. (Comptroller and Auditor General) did launch a report that uncovers extreme risks with the lack of capacity and capability of safety in the fire service. Could the Chief Minister explain which is it?

Deputy L.J. Farnham:

Could you just repeat the last part of the question?

Deputy H.L. Jeune:

Which is it, is it extreme risk that we are under-supporting in our capacity and capability with the fire service, as the C. and A.G. says, or is it as the Chief Executive says where we should stop spending like a big country and, therefore, like he used the example of the fire service, as I believe I paraphrase but has been given too much money?

Deputy L.J. Farnham:

I listened to the Scrutiny Panel hearing with the Chief Executive all the way through. In relation to the fire service comment by the chief executive, he was referring, I think, to U.K. and European fire safety standards that apply to large buildings, quite dissimilar to what we have here. I do not agree that we can compromise on safety but I think we always have to find a balance when it comes to how we invest in our emergency services. The C. and A.G.'s report correctly identifies that additional funding has been approved in the Budget for 2026 and 2027. There has been recent investment in the fire rescue service, and the service is working through a programme of improvement so that this Government - and I hope the next Government - will fully continue to do because that is important. I do not agree that there are extreme risks. There are always risks when dealing with the emergency services and, as a business, they deal with risks and it is our job to make sure they are financed and minimise those risks as much as possible.

5.4.1 Deputy H.L. Jeune:

I am just trying to process that answer from the Chief Minister. I was not in the room listening to the Chief Executive but I have reports to say that I believe that the Chief Executive was talking about the fire service in general and not tall buildings. But even if we took tall buildings, I am just wondering to the Chief Minister if he feels that then, especially after Grenfell, that that is a U.K. standard and that we would not have to have that in Jersey for the tall buildings, which we have quite a lot of. I believe we are wanting to have even more, as we are pushing the buildings in St. Helier higher and higher. Does the Chief Minister not believe that we should have the same standards?

Deputy L.J. Farnham:

I did say I do not support compromising when it comes to fire safety.

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

One of the Common Strategic Policies is to keep government fees, duties and charges as low as possible. In the context of that, will the Chief Minister advise what conversations he has had with the Minister for the Environment over the new food regulations and the proposed fees that will go alongside that?

Deputy L.J. Farnham:

We had great conversations around the Council of Ministers' table where I stated I was uneasy at introducing any new fees for businesses. But the Minister for the Environment rightly pointed out that, I think, the majority of catering businesses, for example, are already paying fees, places of refreshment licences and other fees; the proposal consolidates that into, I think, one new fee. I am looking at him for guidance, and I think that is a nod. But I am still slightly uneasy with introducing any new fees and charges, as were some other Members, the Council of Ministers. But we made a decision around the Council of Ministers' table, of course the fees can be made and changed by order of the Minister. If the proposition is approved by the Assembly, I will certainly be urging future Ministers, especially in these difficult economic times, to exercise restraint when it comes to setting fees.

5.5.1 Deputy A.F. Curtis:

Given the Minister's unease, and he is right that there are some fees but these could go up 2, 3, 5 times for businesses, and some businesses do not pay fees at all now, does he consider it prudent that an implementation of a new fee regime could at least be approved by regulations to ensure it has broad consensus support?

Deputy L.J. Farnham:

Yes, it could be. It could be but I would suggest that no levels of fees have been set now. It is up to the Minister, which would currently do by order but I would not object to it being in regulations.

5.6 Deputy J. Renouf:

Just returning to the question of P.F.A.S. that we will prolong for a moment, we seem to be caught in a bit of a catch-22, according to the Minister's answers, because he says there is no proof of the P.F.A.S. plume fingerprint at La Pulente and, therefore, will not agree to test. But we cannot find out if the fingerprint is there without testing. The Minister for the Environment complained about the cost of the P.F.A.S. tests, but they are about £1,000 each, I understand. Is the way out of this not very simple, to simply stomach the cost of a few thousand pounds and settle the question once and for all of whether the fingerprint of the plume is found at La Pulente or not?

Deputy L.J. Farnham:

Again, in principle, I could support that but we have to be mindful of precedent because of course where does it stop? We are being constantly reminded that we have to bear down on public expenditure. I would remind Members that Jersey is one of the leading places in doing something about P.F.A.S. in the world. This is a global issue; P.F.A.S. is not just about Jersey but we are, with the work that is being done, leading and it has been one of the highest priorities for this Government to reduce the levels of P.F.A.S. right across the Island. I aligned myself ... I trust and have full confidence in the Minister for the Environment in what he said earlier. But if there is evidence or households are extremely worried and have some sort of evidence and make a case, I am sure the Government can be a little more proactive in supporting them. But we cannot do it for every single household across the Island. We are running a programme with Jersey Water in line with the advice of the scientific panel over a period of years to reduce even further the levels of P.F.A.S., and I think we have to try and stick to that as best we can.

5.6.1 Deputy J. Renouf:

I think the Chief Minister will know that I have been fairly supportive of the Government on the whole question of P.F.A.S. I think the question of this becoming a precedent does not really apply. The question is very limited to the question of whether the P.F.A.S. plume in St. Ouen has extended north or south or both. This can be resolved by testing the water that is south of the plume and finding out whether the signature does extend there. In the light of that, can I say again, will the Chief Minister reconsider and discuss with the Minister for the Environment whether this, as an exceptional situation, could be considered for funding?

Deputy L.J. Farnham:

I would reiterate and sought to show that the P.F.A.S. has not spread beyond the known plume area around the airport and that Jersey does not have a wider P.F.A.S. issue. But I am happy to discuss it further with the Minister for the Environment.

5.7 Deputy A.F. Curtis:

Returning to the Food Law, the Minister said he would perhaps support fees by regulation, has he had a chance to read the Minister's comments that he submitted highlighting that the primary law gave regulation-making powers for fees and that the law we are debating this week is for orders, which would mean if he supported the Environment, Housing and Infrastructure Scrutiny Panel's amendment this week, regulation-making power for fees would remain? In the context of that, will he have a talk with the Council of Ministers about maybe reconsidering their support for the panel's amendment?

Deputy L.J. Farnham:

I did say I would not object to regulation-making orders but I did not say I did not support what is in the current legislation. I am happy again to discuss it with the Minister for the Environment in relation to the amendment. The Council of Ministers has made a decision; the current position is we stick with that but I will discuss it with the Minister.

5.7.1 Deputy A.F. Curtis:

Given the Council of Ministers made a decision, can the Chief Minister recall if any Ministers dissented from the decision and what the views of the Minister for Sustainable Economic Development were?

The Bailiff:

Chief Minister, you have got 35 seconds left.

Deputy L.J. Farnham:

I might as well use them up with this short answer. I cannot remember exactly the position of the Minister for Sustainable Economic Development and neither can he, by the looks of the expressions coming across the Assembly this way.

The Bailiff:

That concludes that period of questions. There is nothing under J.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Bailiff:

We move on to Statements on Matters of Official Responsibility. There are a number of statements to be made. The first is from the Assistant Chief Minister, Deputy Ferey, in respect of a review of the Freedom of Information Law.

6. The Assistant Chief Minister (Deputy M.R. Ferey of St. Saviour) will make a statement regarding a review of the Freedom of Information Law

6.1 Deputy M.R. Ferey of St. Saviour (Assistant Chief Minister):

A decade after its introduction the Freedom of Information Law remains one of the great pillars of transparency and accountability in our Island. It allows Islanders to better understand how Government decisions are made, how resources are used and how public services operate. It has helped to square trust between Government and the public. However, despite its positive impact on openness and transparency, the law has attracted criticism for its scope and the occasional withholding of politically sensitive information. While the States approved proposition P.149/2014 to extend the law further, progress has been limited. In 2025 the Council of Ministers launched the most comprehensive review of the F.O.I. (Freedom of Information) Law since its creation. Today we are publishing the full review report, the consultation summary and our 2025 F.O.I. statistics. These materials provide a clear picture of the architecture and complexity of F.O.I. in Jersey, including the fact that Government departments collectively manage more than 1,000 requests each year. Sharing these reports demonstrates our commitment to openness and allows Islanders to see the progress we are making and the challenges we are addressing as we modernise the F.O.I. system. Our objective in undertaking the review has been clear; to strengthen and modernise the law, ensuring that it remains fit for purpose in a rapidly changing world. The review makes a series of recommendations aimed at improving the operation of the F.O.I. system from within, which I would encourage the next Council of Ministers to take forward as a priority.

[16:00]

I am pleased to report that early outcomes from the review are without diffidence and already are delivering meaningful operational improvements. We are streamlining and modernising internal F.O.I. processes. We are building capability across departments. These are foundation stones to achieve more consistent evidence-based decision-making and responses. We are introducing a new centralised knowledge library for those responsible for producing F.O.I. responses. We are strengthening collaboration, encompassing the information governance community. Alongside this, we are already developing a new digital F.O.I. portal to reduce administrative burden, improve accuracy and supply and support faster more robust responses to the public. These improvements are essential groundwork for the future of the F.O.I. framework. We have also undertaken extensive consultation as part of this review, engaging directly with Islanders, arm's length organisations, States-owned entities and a broad range of other stakeholders. We wanted to ensure that any recommendations for changes to the F.O.I. Law are informed by real operational experience and public expectations. The feedback we received demonstrated strong support for transparency, alongside regular messages about the need for any expansion of F.O.I. obligations to A.L.O.s (arm's length organisations) and S.O.E.s (State-owned entities) to be proportionate, practical and supported with clear guidance and time to prepare. To some degree, these insights are shaping a phased and evidence-led approach, ensuring that organisations, potentially in scope, remain actively involved in the process, and that any future proposals meet an accepted test of proportionality and practicality. I want to be clear on one important point, no changes to bring new organisations under F.O.I. Law should be introduced until the improvements required to enhance the operation and cost effectiveness of the law within Government have been completed. This is a deliberate approach. We should focus first on getting the system working as effectively and efficiently as possible, including exploring opportunities to strengthen exemptions and a vexatiousness process, and to allow for challenging of non-local F.O.I. requesters. The review has also highlighted real opportunities to expand proactive publication of data within Government, publishing more information routinely in a structured and consistent way will not only level transparency but also reduce avoidable F.O.I. requests and improve public understanding of Government activity. This reflects a broader cultural commitment to openness and demonstrates a determination to build a more transparent accountable public sector. By modernising the system, clarifying the legislation and applying a proportionate and evidence-based approach to any future expansion, the next Council of Ministers can ensure that Jersey's F.O.I. framework remains strong,

credible and responsive to Islanders' needs. I want to extend my sincere thanks to all arm's length organisations, States-owned entities and other bodies who met with us one-to-one throughout this review. Their willingness to share candid practical insights has been invaluable in helping us understand how any future changes may affect operations. I would also like to thank the many Islanders who contributed to the consultation. Their feedback has been clear, constructive and rooted in a shared commitment to transparency. Their participation ensures that the next steps we take are grounded in real experience and aligned with public expectations. Looking ahead, the next Council of Ministers and States Assembly have an opportunity to reshape how we share public information in a way that is both cost effective and genuinely useful for Islanders. The F.O.I. review has reinforced the value of moving forward more structured proactive publication, we can reduce unnecessary F.O.I. requests while improving access to timely and relevant information. As we strengthen the F.O.I. Law and system, our aim should be to build a sustainable model that supports transparency, reduces administrative burden and positions Jersey as a leader in modern, efficient information access. I now welcome any questions.

The Bailiff:

Any questions? Deputy Renouf, then Deputy Alex Curtis.

6.1.1 Deputy J. Renouf of St. Brelade:

I thank the Assistant Minister for his report. When the F.O.I. Law came out most of the information moving around in Government was moved by email. Since then direct messaging has become far more prevalent, if not the dominant method of moving information around. Has the Minister given any thought to how that kind of information could be captured by the F.O.I. Law, given that it is now the main route by which a lot of information is moved?

Deputy M.R. Ferey:

I thank the Deputy for that question. Yes, indeed, 10 years ago far more information was being fed around the system by email and of course far more now is produced on Teams and free direct messaging. But it must be remembered that if this information is still held, it is still available and it is still discoverable. It is not so much the communication method, it is whether or not that information is still able to be retrieved from the systems where it is held.

6.1.2 Deputy J. Renouf:

Is there any guidance to Ministers about the importance of keeping records via email that would be easily discoverable, as opposed to social media or other direct messaging apps where it is very difficult to do so?

Deputy M.R. Ferey:

Yes, indeed. We have had briefings from the F.O.I. team, and they have given us some good guidance on which are the best channels to use. But of course we have Teams where automatically after a certain period of time those conversations do fall away. We do encourage people to use channels that are not going to fall away, such as email, particularly when they want to make sure that those conversations are still discoverable, notwithstanding that of course many communications in terms of policy development may be exempt from F.O.I. requests anyway.

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

I thank the Assistant Chief Minister for his statement. He made a comment about a new portal being one of the key ways to streamline access. The report indeed talks about scoping work has already been undertaken. Can the Assistant Chief Minister advise what costings have been undertaken and the feasibility to deliver this and whether there is scope, budget and resource to do so at any time soon?

Deputy M.R. Ferey:

It is very early days on that piece of work. But what I have discovered is the back end freedom of information processes are incredibly cumbersome and labour-intensive. One of the things that we have been able to do within budget - within existing budgets already - is to start to look at having a centralised portal that more staff can have access to and less duplication of work and less information held in different places.

6.1.4 Deputy A.F. Curtis:

Really to ask whether the Assistant Chief Minister thinks any further work will be done on this part before the end of term, and whether the public will have any idea as to whether this will feature in any delivery plan this year, the next or the year after.

Deputy M.R. Ferey:

Certainly the portal work is in train now. The way that develops of course will be post the next election. If there is any further budget needed for it then it would be attached at that time.

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

In his statement the Assistant Minister referred to plans to strengthen exemptions. Could he give some more details on this please, and provide some examples of what he means by that and why it is needed?

Deputy M.R. Ferey:

Yes, if we compare and contrast the U.K. legislation, lots of emails across Government will be exempt in the U.K. We have an exemption that we could rely on, which is policy under development, which is not as strong as the U.K. equivalent. While this is something that officers can rely on, and the reason being as policy develops officers need to be free to exchange views on how that policy is going to affect, as there are new iterations of that policy. Of course where a policy finishes is not necessarily where it starts. The reason that exemption is in place is so that people cannot see what the discussions were around that policy, which is not where it ended up. In the U.K. lots of email chains are completely exempt under this legislation. We would be looking in that direction as to how we can make that better.

6.1.6 Deputy L.K.F. Stephenson:

Just to clarify, it would be the Government's intention to reduce the amount of information being released about policies that they are putting together. My question was going to be: could he provide an assurance to the public that the steps are not going to limit access to information that is in the public interest? But I think I have answered my own question that that is exactly what is going to happen here. Does he agree?

Deputy M.R. Ferey:

Not quite. I think that where information is going around when a policy is in its early stages of development, it is not necessarily relevant to work the ultimate policy which is published. There is a good reason why that is in force in the U.K. It is not holding information from members of the public, it is just making sure that officers can have free and frank conversations as policy develops.

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

I wonder if the Deputy would just remind us what the cost of the centralised process is. Also, I note his review has said it has highlighted real opportunities to expand proactive publication of data within Government, publishing more information routinely in a structured and consistent way, which would reduce avoidable F.O.I. requests and improve public understanding of Government activity. I just wondered if he has done any work in terms of what the cost would be of providing

this information in this structured way, whether that would include more in a way of open data and whether that has been costed and whether any Minister has said over their dead body.

Deputy M.R. Ferey:

No, we have not got to that level of detail. But the best way to make sure that the public have good quality access to information is through publication schemes, and that means being proactive about the information that we hold. That means if a requester does put in a freedom of information request, then they can be pointed very quickly to where that information is already produced in an easy to read format. It is about being on the front foot with the information that we do hold, and that very often will come at very little cost. Because we have already got that information, we just need to make sure it is publicly accessible.

6.1.8 Deputy M.R. Scott:

In terms of publishing more information in a more structured way, the Assistant Minister said: “This demonstrates a determination to build a more transparent accountable public sector.” Does he, therefore, agree that the more transparency there is in terms of reviewing Government processes, that this also will attribute towards accountability?

Deputy M.R. Ferey:

Indeed, the fundamentals of the Freedom of Information Law is about the right to know; that is what it is. The public have a right to know the information which Government holds. Yes, I agree with everything that the Deputy has just said.

6.1.9 Deputy J. Renouf:

I just want to explore this line of thinking that I developed earlier. The question of discoverability, the whole point about the Freedom of Information Law, restrictions on the Freedom of Information Law is the worry that they might be to information being withheld for reasons of embarrassment, rather than reasons of the need to protect policy under development or whatever. The F.O.I. Law has indeed revealed many examples of political embarrassment over the years, including business class flights to golf tournaments and so on. What reassurance can the Assistant Chief Minister offer that that desire to tighten access to information in Government will not be used to cover up potentially embarrassing revelations?

[16:15]

Deputy M.R. Ferey:

I think what I have described would not come under that exemption anyway. The policy under development exemption would in most cases, if it is just emails or direct messages going between Ministers that subsequently will cause embarrassment, that is not what the exemption is about. The exemption is about robust policy development, not about casual conversations that go on between Ministers or mistakes that have been made.

6.1.10 Deputy J. Renouf:

Can I ask the Assistant Chief Minister, therefore, about situations where there may be profound disagreements at the top of Government over, for example, how you would deal with COVID or something like that? If the F.O.I. Law might be used to try and winkle out those differences, would the Assistant Chief Minister regard that as policy under development and, therefore, not discoverable?

Deputy M.R. Ferey:

That is a possibility that where something is being developed at pace and in an emergency conversations are had that are subsequently not discoverable. But, again, the thrust of the law is not

to save anyone's blushes. The thrust of the law in this area is to make sure that where the policy ends up is the discussions they have at the end and not at the beginning.

The Bailiff:

Deputy Morel, your light was on but I think as a Minister you cannot ask a question of another Minister in this session.

6.1.11 Deputy L.K.F. Stephenson:

In the 2025 statistics report that is published today, it shows that Health and Care Jersey had a significantly higher number of extensions applied to F.O.I. requests; 50.2 per cent of all requests to that department with over 100 extensions. I think the closest one to that after is 22 per cent, it is a significantly higher amount. Is the Assistant Minister able to shine any light on that trend and the reasons that have driven it, please?

Deputy M.R. Ferey:

My understanding is that freedom of information requests to Health are very often complex and information is held in more than one area. We try to deal with requests within the required number of days and try our very best to not ask for extensions. But where information is in disparate, we need to pool that information together and make sure that the requester gets the correct information. In those circumstances we do need to apply for extensions.

6.1.12 Deputy L.K.F. Stephenson:

Are any measures or steps being taken to try to address those particular issues in that department?

Deputy M.R. Ferey:

That is part of the centralisation process; the more information is in one place and the more easily accessible it is to officers who are trying to retrieve it, then the less often those type of extensions will need to be asked for.

6.1.13 Connétable D.W. Mezbourian of St. Lawrence:

Will the Deputy please remind us which bodies are subject to the F.O.I. Law?

Deputy M.R. Ferey:

Yes, I can indeed. I think if we compare and contrast to the U.K., we have schedule 1, every organisation which is covered by F.O.I. is specifically named. Our schedule 1 is far more open than that. But, generally speaking, it would be all Government departments and that includes the communication teams and C.Y.P.E.S. (Children, Young People, Education and Skills), going out as far as the States Greffe, obviously the States of Jersey Police, Treasury and Exchequer but also including Andium Homes and the Parishes and the Children's Commissioner. What I would like to see is that part of this change to the law is that we have the equivalent of a schedule 1 where at a glance anyone could look at the law and see which organisation was inside the law and thereby default. If an organisation you are looking for is not in schedule 1 then it is not covered by the law.

6.1.14 The Connétable of St. Lawrence:

My recollection, and it is going back some time, is that there were other arm's length organisations - and we have heard of Andium - that were due to be brought within the remit of the law. I would like to know whether that has been done during the past decade or not and, if not, why not?

Deputy M.R. Ferey:

That is one of the main thrusts of this review, so I thank the Connétable for that question. If we look at organisations like Jersey Water, Jersey Electricity, Jersey Telecom, they currently fall outside of the scope of the law. But there was a proposition passed 10 years ago and this is acting

on that proposition, so that, hopefully, in the next Assembly we can bring those organisations within scope. They all did respond to the consultation's work. Having a read through to get their understanding; broadly they were supportive. Of course they were concerned about cost and of course they were concerned about staffing implications.

The Bailiff:

The 15 minutes has come to an end, unless a Member wishes to propose an extension to the time. Accordingly, the 15 minutes has come to an end. We move on to the second statement, a statement made by the chair of the Economic and International Affairs Scrutiny Panel in respect of the Ferry Service Concession Agreement Interim Report.

7. The Chair of the Economic and International Affairs Scrutiny Panel will make a statement regarding its Ferry Service Concession Agreement Interim Report

7.1 Deputy M. Tadier of St. Brelade (Chair, Economic and International Affairs Scrutiny Panel):

I hope everyone who needs a copy has got their copies open. I am grateful for the opportunity to speak about the findings of the Economic and International Affairs Scrutiny Panel's interim report presented last week, which set out the panel's initial assessment of the Ferry Service Concession Agreement between Government and the ferry operator. The review was initiated following substantial public and commercial feedback on the impact of the new service. In response, the panel explored how closely the service reflects the expectations set out in the agreement and whether it addresses the needs of Islanders. The panel has also examined what steps the Minister for Sustainable Economic Development has taken in response to emerging issues. The panel gathered its evidence from public hearings, targeted stakeholder letters and public submissions. The panel also employed the service of an experienced adviser with extensive knowledge of the maritime industry to provide independent analysis of the concession agreement. His report helped inform many of our findings and recommendations and can be viewed in appendix 2 of the panel's report. The evidence received from passengers, businesses and community groups shows that, while there have been some positive developments, significant issues remain across both passenger and freight services. Islanders reported longer journey times, reduced opportunities for day trips, frequent timetable changes, perception of increased fare pricing, inconsistent customer service and ongoing barriers for those with additional needs or travelling with animals. The continued lack of inter-island vehicle transport is also having a clear social and economic impact. Businesses commenting on the freight service raised concerns about the lack of meaningful engagement with users before key decisions were made. Cancellations, delays, rising costs and the new pricing structure of the flat rate card, of course disruption, pricing increases, increased food waste and concerns about supply chain resilience. Stakeholders also highlighted uncertainty around the vessel investment. Overall the operator is meeting the minimum contractual requirements. Those minimum standards do not necessarily match expectations, underscoring the need for stronger oversight, clearer governance and closer alignment between the agreement and the needs of Islanders. The panel's report also draws Members' attention to several areas where further tightening of oversight in Governments are needed to ensure the ferry service meets Islanders' needs, with key recommendations centring around the following: cost analysis of passenger fares to ensure that pricing caps are set at an appropriate and justifiable level; strengthening the Governments of the concession agreement, particularly the scope and authority of the Monitoring Committee which must be equipped to provide effective oversight through the contract term; development of solutions to address the lack of inter-island connectivity; the need for an independent review of the flat rate freight-pricing structure, to assess its impacts and if it is meeting its intended goals and ensuring early structured engagement with freight users for any changes to schedules or operations are proposed to minimise negative effects where possible. The panel recognises that efforts are being made by both the ferry operator, as it continues to stabilise

services, and by the Minister for Sustainable Economic Development, in monitoring performance and maintaining oversight; these steps are welcome. However, the panel's recommendations are designed to ensure that this progress is not only maintained but strengthened, that it is supported by clearer governance and a consistent focus on the needs of Islanders and businesses. Our intention is to ensure that the operation of this lifeline service evolves in a way that reflects the realities of living and working on an Island community. Ultimately, the panel's recommendations aim to secure a ferry service that is sustainable, affordable and reliable and more aligned with the expectations of the people and businesses it serves. The purpose of this interim report has been to set out the evidence needed to support informed Government action. With key contractual milestones approaching, including the first year K.P.I. (key performance indicators) review and the decisions on vessel investment, continued scrutiny is essential. It will be for the next Scrutiny Panel to take this work forward and ensure both Government and the operator to deliver meaningful progress. I would like to thank all stakeholders and members of the public who took the time to write to and speak with the panel, including the Minister, the route director of DFDS in Jersey and their time and responses. Finally, a big thank you to my panel members, the vice-chair, Deputy Karen Wilson, Deputy Max Andrews and our recent addition, Deputy Beatriz Porée. Most of all our Scrutiny officer and their team for their excellent work they have done in completion of this report, especially at such a busy time of the parliamentary term. I commend the report to the Assembly and welcome any questions that Members may have.

The Bailiff:

Any questions for the panel chair?

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

I thank the Deputy for the report. The chair has called for a review of the fixed-rate card, suggesting it has caused price inflation. The DFDS rate is around £56 per lane metre for everybody. Can he tell us what the lowest price and highest price was under the previous operator?

Deputy M. Tadier:

The Minister knows that we were not here to conduct a review of the previous operator. What we were here to do was consider the current agreement that this Government and his Government has entered into for the next 20 years with a sole operator. What we did of course was look at the evidence around that, and we did get evidence from business that says things like: "The impact today, there has been an incremental increase in the price of food by 2 per cent." We have heard from other importers that there is a very real impact of the flat rate card for them is that it is inflationary. I can give further quotes but I will give perhaps one last one for this part. One public submission says: "The pricing model of the flat rate penalises larger companies who did and now should get bulk discounts but do not. Freight increases this year for us are between 7 per cent and 14 per cent and we do not know where the extra costs are being accrued."

7.1.2 The Connétable of St. John:

I have just checked the J.C.R.A. (Jersey Competition Regulatory Authority) website and I note that they still have an investigation going, some 8 months since starting it, into freight. Does the chair not feel that we should await the outcome of that investigation before we consider making any changes?

Deputy M. Tadier:

I think we very much accept that we are now on the cusp of the end of this electoral term and the beginning of a new one, and that it may well be something that the new Government needs to consider. They may wish for the J.C.R.A. report to be concluded. I do not think we formally know what that investigation is and what their findings will be. What I would say though is that it is interesting that it was always open to any previous Government, including this Government, to

refer matters where they thought competition was not being respected or whether there was an abuse of any market position. That could have been an alternative to necessarily imposing a flat rate card with the hope for a desired outcome, which it may not, ultimately, have had.

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

The chair mentions that the operator is meeting the minimum contractual requirements but these do not match user expectations. But of course the minimum contractual requirements was drafted by and put there by the Government. Can the Chair maybe expand a little bit on this, whether it is the agreement itself that does not match user expectations or is it the operator?

[16:30]

Deputy M. Tadier:

In answering that very good question, I think the answer I would give is to refer to a section in our adviser report where it is pointed out that the central issue is not whether the contract is being followed but whether the contracting model chosen can meet Jersey's economic needs to support the community and businesses to make sure that resilience and expectations are met and that the public's understanding of what a lifeline service should provide is also met. I think very much what we are saying is that there is not a problem with the contract but if there are limitations in the contract around levers, for example, and enforcement, then those are the trade-offs that have been made with Government choosing a type of contract that perhaps minimises Government risk but also provides perhaps slightly less levers than one might have wanted in assuring things like timely travel and other service requirements.

7.1.4 Deputy H.L. Jeune:

I thank the chair for that, and I think that is probably quite an important finding of the panel about the lack of strong levers and enforcement mechanisms to help the operators to meet their contract. Did the panel ask these questions of the Minister and why were these levers and enforcement or stronger levers left out of an owner contract agreement, especially as we have seen in the past that, potentially, was why we saw the other operator not being chosen because they were not following their contractual agreement the last time as well? I believe this would have been a lesson learned before.

Deputy M. Tadier:

I think what became apparent while we were doing the review is that there are a lot of moving parts here. It has to be emphasised that the starting point from which the contractor, the ultimate successful tenderer, DFDS, was operating was suboptimal, if I can use that euphemistically, and I say that in my foreword and that there are a lot of consequences from that. Also, the choice of type of contracts, which I do not think we are criticising, but it recognises the fact that it does put the risk and all the potential gain with the operator. This is not like a bus service, for example, that Government is contracted to run, which will be offering subsidies in return for a high level of scheduling input from the Minister or from Ports. It is fairly hands off but with some minimum requirements that are in the contract. There is nothing necessarily wrong with that, but there are consequences for having chosen that kind of contract to be in place. I hope that partly answers the Deputy's question.

7.1.5 Deputy J. Renouf of St. Brelade:

The Minister has stated in the past that one of the main reasons for using the fixed-price no-discount model is to encourage onward freight competition in the onward freight market in the Island. I wondered whether the chair and his panel had examined this at all or whether they had a view on whether that was likely, possible or realistic.

Deputy M. Tadier:

I think the way we phrased it, and what also our adviser found, is that we accept that there could, theoretically, be some winners in this. I have certainly anecdotally heard, and I think we had one private submission which said that there was a company that benefited very much from the flat rate card. What I was slightly disappointed with is that we did try and solicit some businesses and users to come forward with some evidence that the flat rate card had helped them and it was having the desired consequence, and that evidence was very thin on the ground. I am not saying that I do not think that there will be winners and losers in this. What I am saying is that it is much easier for our panel to find those who are coming forward with a whole load of, I think, legitimate criticisms of the flat rate card and it was more difficult to find those who were talking to what the Minister's positive aspirations were in setting it up.

7.1.6 Deputy J. Renouf:

Just to clarify, was there any evidence that costs had been reduced so far, admitting that these things might take time? Was there any evidence that costs had been reduced so far as a result of the flat rate card?

Deputy M. Tadier:

Our evidence is that globally costs have not been reduced. Indeed, the Minister stated that costs have gone up by 0.4 per cent on the shelves. We have been told that costs have gone up by 2 per cent on the shelves. It will vary no doubt from sector to sector. I think if I am trying to be helpful and be as magnanimous as possible, time may tell in a year or 2 whether there are some winners in this, and there may well be. There may be some businesses that are willing to come forward in future and say that they benefited from this flat rate card, but that is not where the overwhelming evidence is that we have received.

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

We have Scrutiny in order to work well, supposedly, to make people accountable, and that is the question that I am asking. Because the chair has mentioned lots of moveable parts in terms of analysing in this area. That can encourage competition, the extent to which it is realistic and sustainable on this Island, flat rate card, the choice of it; it was mentioned as a political choice, inter-Island connectivity, the way in which the guarantee of performance obligations as a counterbalance to the financial status of Condor was dealt with and the choice not to consult with major stakeholders that might have given information. All of these things are there but the question I have is: does the Chair really feel that he has apportioned political and executive accountability, the extent to which, for example, the Minister could have been advising on officer advice or was ignoring it? On that basis, because he is aware that I withdrew a proposition just recently, coming to a conclusion about letters of instruction, were there any letters of instruction issued in terms of this? Does he believe that if there were not that perhaps the whole regime of letters of instruction is not being helpful to Scrutiny, insofar as it is confined to Public Finance Manual issue matters, rather than, say, more economic issues?

Deputy M. Tadier:

I heard 2 main questions there. I think the first one seemed to me to be like an invitation to try and drop her Minister in it, insofar as she was asking, are we trying to hold somebody accountable for the decisions that are being made? Ultimately, of course to answer that we know that this was predominantly the Minister for Sustainable Economic Development's and his department's contract; they are the ones who negotiated it and signed it. I know that with the tender process there was lots of discussions before that, which did go to the Council of Ministers as well. I do not know whether the Assistant Minister herself was included in any of those decisions but that is for her to answer and I am not here to question her. The second part about letters of instruction; that is something that never came up during the review. We were not made aware of any letters of

instruction. There was never a suggestion that the Minister or the officers in his department were acting anything other than in tandem. I presume that the Minister was taking advice and having input in giving advice back to officers when it came to negotiating and developing what went in the contract and what was not in the contract. But if the Assistant Minister knows more than that, I am sure we would all be interested to hear.

7.1.8 Deputy M.R. Scott:

One of the things that the panel might have honed in on was that there was an estimate for the likely impact of the flat rate card that had been relied on by the Minister. It does seem somewhat out of whack with what has been given by way of the evidence to the panel. I am wondering, to what extent did the panel explore this discrepancy and the extent to which, again, not engaging the main stakeholders might have been a factor here?

Deputy M. Tadier:

I am not really sure how to answer that. I am going to have to think about that question and see if I can come back to the Minister off line.

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

The report suggests that the panel and the adviser did an evaluation of Jersey's concession agreement with other jurisdictions, including Guernsey. Did the adviser have access to Guernsey's own concession agreement?

Deputy M. Tadier:

I think what the adviser did was to look at documents that were in the public domain and extrapolate from there.

7.1.10 Deputy M.E. Millar:

That is based entirely on the public domain, which will be very limited.

The Bailiff:

Is that a question?

Deputy M.E. Millar:

I am just asking for confirmation that the adviser has not looked at other contracts because it is quite unusual for a concession agreement to be in the public domain. What I am just asking him to confirm, that the adviser has not looked at other contracts and has simply made the best he can with what information is available in the public domain; is that the case?

Deputy M. Tadier:

The adviser will have done, to whatever extent he could, a comparative study. He does look at other models around the British Isles for contracts or operating models that are in place. Of course he is not going to have access to documents that are not in the public domain and they have not been published.

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

I thank the Chair and his panel for their work and for the report that they have produced. It is helpful; there is no question. I am also grateful for the finding that the contract is working as intended. I was wondering, and it is of interest because the Deputy, as chair, has talked a lot about governance and levers under this concession agreement, yet there is no mention of the previous concession agreement where I believe not just myself, as Minister, but my predecessor as Minister, now Chief Minister, has said many times that the previous concession agreement had no teeth and had no levers. Could the chair confirm that this agreement has levers that were not in place in the previous agreement?

Deputy M. Tadier:

Again, I will just say to the Minister, we were not here to do a comparative contrast and compare study with the previous contract. What we were here to do was look at the decisions that this Government has said. What I would say, if it is helpful, we know that the Minister is not responsible for the previous contracts and we do understand that there were concerns from this Government about the operations of the previous operator. We also acknowledge as a panel that when you are conducting such a review you are going to solicit, especially in the first year, when there have been teething problems from a new operator, that you are more than likely going to hear from people who have got a complaint to make, not necessarily from people who have received good service. We did in fact hear from both sides in this. I hope that does go some way to answering the Minister's questions. I am trying to remember whether we would have even had sight of the previous contract. I know we did ask to see and it was very difficult. I remember having conversations about asking to compare levels of service and it was not easy to compare the last 20 years.

The Bailiff:

I need to stop you there, Chair, because the 15 minutes have expired.

Deputy M. Tadier:

Thank you.

The Bailiff:

Do Members wish to continue this and extend the time? I have got 2 Members who wish to ask questions. We can extend the time. Are Members content to extend for a further 15 minutes, of which one minute we have already had? There are 14 minutes left.

7.1.12 Deputy K.F. Morel:

I thank the Deputy for his answer. Understandably and from my previous role as chair of a Scrutiny Panel, I know that it is up to the panel to set their own terms of reference for a review; it is up to nobody else. Could the chair advise the Assembly as to why the panel chose not to include any comparison with the previous concession agreement, which was in the public domain, so not difficult to find? It has been published for many years on the Government website. Could he explain why that was chosen not to have any reference or comparison to the previous agreement?

Deputy M. Tadier:

I think because we are in a different point in the economy is one answer, and the panel has really a finite amount of time to try and compare. We set out saying to people: "We do not want your submissions tell us whether DFDS is better than Condor" because that would not have really been productive. I do not think that would have been in any way a helpful way for us to start. I think what we have done, and I will reiterate the point, is that we have looked at what we have had in front of us. We have looked at the current state of the economy, the current needs of the Island and gathered evidence from businesses who operate in Jersey now. What they have told us, as well as the Government and officers who are in power now, not those who were here 20 years ago. I think to look at a contract from 20 years ago where those individuals, by and large, are not here to be held to account, I think would have not been a great use of our time.

Deputy K.F. Morel:

Sir, point of clarification and it is a friendly and nice factual one, Sir.
[16:45]

The Bailiff:

Are you prepared to give way to a point of clarification? I am not sure that is really ...

Deputy M. Tadier:

Of course.

The Bailiff:

Yes, all right.

Deputy K.F. Morel:

I thank the Deputy. It was just to confirm that the previous concession agreement was not 20 years old, it was signed in 2014. Can the Chair clarify that that was the case?

Deputy M. Tadier:

The Minister has just clarified that. That is still a good few years ago, not quite 20 years but getting on there.

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

In my previous question to the Minister for Sustainable Economic Development, he refuted, effectively, the commentary made about the inflationary impact on food prices on the supermarket shelf that the panel concluded on. He used an interesting term here, he responded by saying: "It is a cost of living versus a cost per basket of goods and they are different."

Deputy K.F. Morel:

That is not what I said, Sir.

The Bailiff:

You cannot interrupt somebody who is asking a question.

Deputy K.F. Morel:

Sorry, a point of clarification, Sir, because those were not my words.

The Bailiff:

Continue your question.

Deputy D.J. Warr:

Sorry, that was my impression. In simple terms, does the chair of the Scrutiny Panel agree that the Minister has got a point, that we are talking a difference between apples and pears in terms of how these measurements are made?

Deputy M. Tadier:

I think the interruption threw me. Can the questioner just clarify exactly what point I am supposed to agree or disagree on?

Deputy D.J. Warr:

As far as I am aware, that when I asked the question of the Minister, his commentary was that although the figure the panel has come up with was 2 per cent, his advisers had come up, I think, with 0.4 per cent. When I said, well, his department had got it wrong on those numbers, the Minister challenged that and said: "No, I do not believe we did get it wrong." So I am interested to hear the chair's commentary.

Deputy M. Tadier:

I think there is an issue with the 0.4 per cent figure. It seemed already by the time we started this to be out of date. It did not take into consideration developments that happened subsequently. So, for

example, we know that last year lots of businesses were contacting us, and no doubt other States Members, about the retrospective port fees that were being charged to businesses who were both importing and exporting. They said: "Look, we have not accounted for any of this." That 0.4 figure was calculated before any of that was known, so we already know that on top of the flat rate prices that businesses thought they were paying, there was this additional fee that DFDS had not billed them for, which was in itself also unexpected and potentially inflationary. What I can say is that the retailers have come to us and said: "The effect it is having to us is we have calculated as 2 per cent on the shelf, not 0.4 per cent" and we can only take that from them.

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

I am grateful for the chair's acknowledgment that DFDS, the new incumbent, managed to put on a freight and passenger ferry service almost from a standing start. My question is this: does the chair agree or does the chair have a view that we should have allowed maybe a slightly longer time before reviewing and that a lot of his evidence may be based on the first 6 months where the company really needed more time to settle down?

Deputy M. Tadier:

I think the panel was between a rock and a hard place because we were expected, I think, by many people to do a review in a timely fashion, so this is the first opportunity that we had to do a review. In an ideal world I think that there would have been pre-scrutiny before the tender was even entered into, before the contract was even signed. That is often what happens. I accept that this is an unusual situation in that commercial sensitivity is going to be one of the key considerations. What we have emphasised is that this is very much an interim review, and we do agree with the point made by the Minister that to have a proper study done, a period of reflection needs to have passed where DFDS has been operating for a couple of years so you can compare with the shaky first year that they have had, which was not their fault for a lot of it, compared to a couple of normal years of operating and also see what effect it has had on the wider economy, not least the tourism industry.

7.1.15 Deputy S.G. Luce:

The chair mentioned the contract. Can I just ask, did the chair or the panel come up with a view as to whether they think the minimum service level agreement was set in the right place?

Deputy M. Tadier:

I think broadly we are not critical of what is in the service level agreement. We note, though, that there are some levers for enforcement that are not as strong as they could be. For example, there are K.P.I.s around meeting your timetabling but there is not anything that says how long it should take to get to Saint-Malo. You could meet all of your timetabling because you are within the 2-hour window to get to Saint-Malo. Most people you talk to think that 2 hours is far too long a time to get to Saint-Malo, especially if you are going there for a day trip, especially when people are used to perhaps an hour, an hour 20, and they have got memories of the hydrofoil that used to leave the Albert Quay, and they have got memories of the old Condor doing it in perhaps about one hour, one hour 10. I think it is a difficult one.

7.1.16 Deputy M.E. Millar:

I have so many questions I am not sure where to start. The chair said that the expert adviser had based his review of our concession agreement against others on the basis of what he was aware of in the public domain about other operating models and agreements elsewhere. He has also suggested that the people who came forward to complain about the pricing for forward freight, the majority of them came to complain rather than to say they were happy and they have extrapolated, therefore, that everybody ... more people are unhappy than happy. Does he accept that there seems to be quite a lot of guesswork and estimation going on in some of the conclusions?

Deputy M. Tadier:

I have to remind myself sometimes that some of our Ministers have never actually sat on Scrutiny before and so they do not always appreciate the way that it works, and that is certainly the case for the questioner. I hope that she still gets the opportunity in the future, though, to fulfil that very important function. I would say the Scrutiny function is one that relies on evidence and the Minister will know, having worked previously in the legal profession, that evidence is imperfect and that you have to weigh that up with contrasting evidence and come up with a narrative that seems to make sense. Of course you hold public hearings and we have had lots of public hearings where the Minister ... and I forgot to thank his team. I think it was implicit, if I did not, in that. We weigh up the evidence. In simply saying there are always 2 sides to the story, we do recognise the fact that not all evidence is equal but we still have to listen where there is an overwhelming amount of evidence in several directions and those do find their way into key findings and key recommendations.

Deputy M.E. Millar:

Can I have a different question?

The Bailiff:

It has to be supplementary to the one you have just asked.

Deputy M.E. Millar:

OK.

7.1.17 Deputy M.R. Scott:

At the time that the Deputy stood or was put forward to the chair of the Scrutiny Panel, as the former chair of the Scrutiny Panel, I asked him if he would be continuing the supply chain review that my panel had initiated. At the time of that I had taken a different position. The panel was looking into engaging an independent expert in freight matters to advise in this area, including on competition and how sustainable it was. We also had established that main stakeholders had not been consulted on the contract because of perceived conflicts of interest. Subsequently, this review was not continued with. I wonder if the chair might offer a view on whether that perhaps was the best decision to have made in the circumstances, whether it might have deprived the panel of the opportunity to be able to anticipate some of the problems that they have subsequently identified and why they abandoned that review nonetheless.

Deputy M. Tadier:

I think that is slightly outside the scope of the statement. What I will simply say - there is an overlap perhaps - is that there was a sudden change in Government and there was, therefore, a sudden change in some of the Scrutiny Panel chairs and makeups. I think we decided as a panel ... we did publish the review that the Member talks about but we do also appreciate that towards the end of her chairing the panel was effectively functioning, I think, as a 2-person panel and that we thought it was best to publish that document effectively as a piece of their work with a top and tail from our panel, so that their evidence they gathered could still see the light of day but it should not in any way be judged as a piece of work that was ultimately done in any substantial way by our panel.

7.1.18 Deputy M.R. Scott:

Nevertheless, the chair had indicated that he would be continuing the review, so I just wondered what his position was after assuming the position of chair, whether he still had been of the view that he should continue the review. Also whether he might just confirm that he had been invited to join when I was chair and had refused.

Deputy M. Tadier:

I am certainly happy to confirm that last point.

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

I am grateful to the panel for their report. I will just ask the chair to confirm a couple of points which I perceive to be the case. Generally the general public, the mercantile travelling public, will want a cheap voyage, a reliable voyage. They will want calm seas all the time and reliable times. Would he confirm that DFDS are doing that to the best of their ability?

Deputy M. Tadier:

I did make the point, I think, in some of my statements, and I think it is in the report, that it has to be said that DFDS want to provide a good service to Jersey. That is what they told us in our hearings, and I think that goes without saying. For a company who is engaged on a 20-year contract ... and I have to say in suboptimal circumstances that both the tenderers previously thought they were tendering for a contract that would be pan-Channel Islands, where there would be a bigger market, where there would be inherent market synergies and ultimately more money at play. I think we have to accept the fact that they both decided to tender and that DFDS have told us that they feel that they are here for the long haul and want to make a good go of it in Jersey. I think that ultimately answers the Constable's question.

The Bailiff:

That brings the second period of questions to an end. Thank you, Chair. We now move to the third statement made by the chair of the Public Accounts Committee regarding its Arm's Length Bodies, Grants and Subsidies Review.

8. The Chair of Public Accounts Committee will make a statement regarding its Arm's Length Bodies, Grants and Subsidies Review

8.1 Deputy I. Gardiner of St. Helier North (Chair, Public Accounts Committee):

I wish to make a statement on the Public Accounts Committee's review of arm's length bodies, grants and subsidies following the presentation of its report. This review was undertaken because the Island is facing increasing pressure on public finance, rising demand for public services and significant long-term economic and demographic challenges. In such a context, it is essential that public funds are used effectively, that responsibilities are clear and that publicly-funded organisations are working together towards the shared priorities. The committee wishes to emphasise that this review was not a criticism of the individuals or of the organisations themselves. Throughout our work we met committed professionals working with dedication and creativity to serve the Island. Many organisations make a positive contribution to Island life and are doing the best they can within the frameworks in which they operate. Our findings, therefore, reflect not a lack of effort or capability but a lack of clear directions, co-ordination and strategic oversight at the centre of the Government. Over time the Government and States Assembly have established and funded a growing number of organisations to deliver services or advance policy objectives. Many were created for sound reasons and responded to clear needs. However, responsibility does not end at the point that the organisation is created or a grant is awarded. The Government must ensure that these bodies have clear purpose, that success is defined and measured and the organisations operate as part of a coherent system rather than in isolation. The review found that once established, organisations tend to continue operating even when the original need has changed or diminished.

[17:00]

In some cases funding continues through repeat or additional top-up grants, which can blur baseline funding, weaken the challenge of continuing need and obscure the true course of ongoing reliance on public money. Without regular strategic reassessment, it becomes difficult to judge whether the organisations remain the best way to deliver services or whether roles overlap with other bodies and

government functions. We found that while the Public Finances Manual includes the governance framework, its application across organisations is uneven. I know accountable officer reviews play an important role but it is not a substitute for structured, strategic and periodic reviews. Only one such review has been published in recent years, and it demonstrated how beneficial such work can be for alignment, governance and confidence. This review also identified that service performance measures are not end reported. While the committee acknowledged that key performance indicators are widely used by arm's length bodies and that different organisations require different measures, there is no consistent approach to definitions, baselines and target settings. Alignment with the Island Outcomes is inconsistent and reporting is focused more on activity than the long-term outcomes. We also identified areas of overlap and duplication, including in property development and certain public service functions. While collaboration does occur, clearer strategic leadership from the centre of the Government would help with conflicted responsibilities, reduce duplication and ensure that public resources are deployed effectively and correctly. The committee recognised that many arm's length bodies are already taking steps to improve productivity, manage cost pressures and supplement public funding where appropriate. However, we considered that there is value in more holistic examination of the overall estate, which could include shared premises, joint procurement, shared support services, a streamlined governance model, reduced scope, amalgamation or, where appropriate, discontinuation. Any such changes would need to be carefully considered to ensure outcomes are not compromised. Resource requirements of staffing were also considered in remuneration of arm's length bodies. While we do not question the commitment or professionalism of employees of the arm's length bodies, greater consistency and clarity in remuneration frameworks would strengthen public assurance. In particular, clearer alignment between base pay progression, civil service pay structure and additional or bonus payments being linked to the organisational purpose would support transparency and accountability. Overall, following 31 findings, the committee made 12 recommendations to strengthen clarity, consistency and strategic coherence. These include providing clear definitions within the Public Finances Manual, particularly regarding subsidies and the differential between grants and contracts for services; publication of a complete list of arm's length bodies and relevant accountable officers; improving strategic leadership from government bodies such as the Arm's Length Bodies Oversight Board and the Regeneration Steering Group; introducing key performance indicators guidance; undertaking internal reviews to identify potential areas of savings within the arm's length bodies estate in order to present findings and potential options for the next Council of Ministers; formulate a plan to undertake periodic strategic reviews by the Executive. We also recommended that any significant changes to grant funding should only take place within at least 12 months' notice, except in exceptional circumstances, to ensure that the organisation can plan responsibly and maintain service delivery. To conclude, this review does not suggest that arm's length bodies or grant arrangements are inherently problematic. Many deliver substantial value to Islanders. The issue is the cumulative effect of growth without a system-wide strategic view of necessity, duplication, outcome and affordability. At a time of economic uncertainty and increasing pressure on public services, Jersey cannot afford a system that is complex but poorly connected. The committee's recommendations focus on practical improvements to strengthen purpose, improve accountability and ensure that public money delivers real benefits for Islanders. I would like to thank our officers and stakeholders for contributing to the review, and I thank my fellow committee members for their diligence, constructive challenge and commitment throughout the review. I welcome any questions.

The Bailiff:

Are there questions for the chair of P.A.C. (Public Accounts Committee)?

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

The report includes evidence of the positive impact that the review of Jersey Sport had and, in fact, states that it was the only such body to be reviewed in this way. As the then Assistant Minister who commissioned that review, I am very pleased to see that referred to in that context and the very clear evidence that it has had a positive impact. Will the chair set out how she believes the Government should use this example going forward and does she believe that such reviews can represent significant value for money? As an example, the Jersey Sport review cost just over £18,000.

Deputy I. Gardiner:

I am grateful for the question. My belief, since I was the chair of the P.A.C. in the previous term when we suggested a strategic review of the States of Jersey Development Company, that still has not taken place, is that strategic reviews are extremely important so that we can understand what the values are and also improve. I would like to read out to the Members the feedback that we received from Jersey Sport: “This review was extremely helpful in our strategic realignment and has resulted in high levels of stakeholder satisfaction. I would recommend that all arm’s length organisations go through the same process.” This is what the public received. The public received better value for money and better service delivery. It did cost £18,000 but with what we are receiving now, it cost above and beyond in its clear remit for this organisation. This is why the committee was very clear there is a difference from annual appraisal to strategic review.

8.1.2 Deputy L.K.F. Stephenson:

Following her committee’s review, are there any organisations that the committee believes should be prioritised for such a similar full review?

Deputy I. Gardiner:

It is really important that the Government will look through ... and this is why one of our recommendations says that the Government need to introduce the plan. I mentioned States of Jersey Development Company because this was a recommendation from the Comptroller and Auditor General that was accepted, and it was a further recommendation from P.A.C. that was accepted, and this recommendation still has not been delivered. Saying this, I believe that each organisation would require to go through a strategic review at some time because none of them were conducted. I would consider about the clusters if you are thinking about economic development delivery agencies. They need to look together and to see where their stuff can be done better together as an amalgamation, maybe, to deliver value for money.

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

I thank the chair and her panel for their report. I think there are some absolutely valid and very interesting findings and recommendations in the report. One of the things that I wondered if the chair could enlighten me on is whether the panel took into account the independence of certain arm’s length bodies and their desire to use political means to maintain their positions or their current strategic aims as opposed to just being simple delivery vehicles for Government aims. Rather than being passive and just doing what the Government ask for, whether they looked at the situation where the arm’s length bodies choose their own paths as to what they want to do and even at times lobby against the Government. Is this something that was considered in the review?

Deputy I. Gardiner:

It is a very interesting question and I will reflect on the process that we go through. Each body is very independent and they have their own boards. What we found is that Government give ... different Ministers touch into different bodies. One body can connect to 3 or 4 Ministers through their delivery, even though there is only one accountable officer. When a body engages with 2 or 3 different Ministers and 2 or 3 different accountable officers in their day-to-day business, the message is inconsistent and this body is pulled in different directions. What is really required, and

this is why I put it in, is that the Government need to make clear what they want from the bodies, clear guidance, clear vision, clear K.P.I.s and the body needs to deliver.

8.1.4 Deputy J. Renouf of St. Brelade:

I thank the chair very much for the report and it is very timely. The chair made reference early on in her statement to the fact that some bodies continue when perhaps their work or funding needs are no longer needed as much as they once were. Has she got any examples she can give?

Deputy I. Gardiner:

I do not want to single out one specific body because it would be unfair because each body has changed their remits. Saying this, I would like to give one example to consider. We had the Digital Academy, which did receive some funds. The funds were cut but they received more funds and the next thing that we know the Government are opening a digital academy internally instead of using the Digital Academy that they set up in Digital Jersey. There is a lot of duplication but the funds continued to come or to be cut without assessing what we want these bodies to deliver. This is why I am asking for the strategic review so that the grants can be adjusted according to what we expect these bodies to deliver.

8.1.5 Deputy J. Renouf of St. Brelade:

Does the chair think that there is quite a lot of money to be saved this way or is it relatively a small amount of money?

Deputy I. Gardiner:

This is why we need strategic reviews. For example, if we have 5 organisations that do marketing for Jersey outside of Jersey, we need to understand if the marketing functions in 5 delivery bodies can work together. At the end of the day, it does not matter if it is finance or if it is tourism or if it is anything else, we are still advertising Jersey and attracting people to Jersey.

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

This follows on, although I believe Deputy Morel anticipated me in terms of the question I was going to ask about the difference between certain types of A.L.O.s and, in particular, their rationale. We are aware that our chief executive has questioned their further existence to some extent but also that they serve different roles. I have been delegated Ministerial responsibility, for example, for the Information Commissioner who is there to protect civil rights and that can be against Government. I am wondering the extent to which you feel that the report really explores the difference in rationale between regulatory organisations and delivery ...

The Bailiff:

Someone's phone made a noise. There is a £10 fine.

Deputy M.R. Scott:

The rationale between some of these A.L.O.s and also in the case of delivery agencies, because some really successful economies do not have these and some do, but the rationale comes down to internal red tape in Government themselves and the extent to which the P.A.C. has explored that as a justification for A.L.O.s. I have got another question but I will try to ask that separately.

[17:15]

Deputy I. Gardiner:

I will try to answer the question. When we started the review, I think it started from the headlines that the Chamber of Commerce and a few people in the public mentioned 144 - do not test me on the number - arm's length organisations. We started to look at where we had 144, because in the much fewer organisations are mentioned as A.L.B.s (arm's length bodies). So we did look into it

and we decided to put the scope into States-owned entities, States-established delivery entities and States-established independent bodies or office holders. We did look at all grant receivers. That was very interesting. If you get to the appendix at page 84 and 85, even with these categories, some of the organisations are included in the Public Finances Manual, the fully public Public Finances Manual, and some of them not included in the Public Finances Manual. For example, from the States established independent bodies and office holders we do have the Care Commissioner, the Commissioner for Children and Young People, the Data Protection Authority and there are a couple more included. My question was why, for example, the Charity Commissioner is not included in the same list. Another problem when we started our review, people approached us and asked, for example: "If I would like to complain about the work of the Charity Commissioner who do I complain to?" I said: "There should be a complaint policy on the website." We looked through the website and there was no complaints policy, so basically the person does not know how to complain if he is not happy. I am not saying the person needs to complain. There are others as well. So what is important is consistency. This is why our second recommendation as Government is to publish the complete list, because it is very difficult to find the complete list in one place, and to identify the relevant Government of Jersey accountable officer for each of these organisations, so the public understands what are the bodies and who in the Government is accountable to them.

Deputy M.R. Scott:

I do not believe the chair has answered my question about internal red tape as a justification for establishing A.L.O.s that are delivery agencies, so might I ask her to just expand on her answer?

The Bailiff:

Do you want to clarify what your question is so she is clear about it?

Deputy M.R. Scott:

I said that the rationale for creating different A.L.O.s is different, that some are deliberately independent from Government to protect civil rights. Others are delivery agencies. There is some sort of variation between jurisdictions whether they have delivery agencies or not, but generally those that do it is because of internal red tape within Government itself that ...

The Bailiff:

Your question is?

Deputy M.R. Scott:

The question is did the P.A.C. explore that rationale about internal ...

Deputy I. Gardiner:

We explored the rationale how they were created, and what we said was they were created because we needed to deliver something, the policy development, and there were lots of things happening within the Government that was created. What we are saying is it is about time to look back and to say, do they still serve the purpose, are all economic areas represented, and what can be done. If the Deputy in another question will give a specific example maybe it will be clearer to understand what the Deputy is referring to.

The Bailiff:

You have asked 2 questions but you may say your first question was not really answered.

Deputy M.R. Scott:

A supplemental then?

The Bailiff:

Yes.

8.1.7 Deputy M.R. Scott:

We will get back to the Public Finance Manual because basically I wanted to ask a question there. There has been some exploration of how these different entities are treated under the Finance Manual, and also about their K.P.I. I am aware that many of these A.L.O.s and the way in which their K.P.I. are being looked at is using a system called outcome based accountability. I have been in discussions about how granular the principal accounting ...

The Bailiff:

Is it possible for you to come to a question a bit more quickly, because your questions are prefaced by almost a speech.

Deputy M.R. Scott:

Okay. How granular should the principal accounting officer, for example, in a Department of Economy be when setting K.P.I. for A.L.O.s using outcome based accountability?

Deputy I. Gardiner:

First of all, all of the organisations do have K.P.I.s. What we found is some K.P.I.s are not outcome based and some K.P.I.s are outcome based. This is why we had recommendations that we would like to see K.P.I.s that are outcome based and related to the Island outcomes. As an example, we did find ...

The Bailiff:

We have come to the 15 minutes. Do Members wish to extend the 15 minutes or not? There is no appetite to extend the 15 minutes unless someone makes a proposition to that effect. That completes the period of questions for the chair of P.A.C. The last statement is from the Minister for the Environment, and his statement is in relation to the first Climate Council report.

9. The Minister for the Environment will make a statement regarding the first Climate Council Report

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

I wish to inform Members that the independent Climate Council has completed its first 4-year review of progress in delivering the Carbon Neutral Roadmap. This fulfils a requirement established by this Assembly for an independent, scientific climate council. I have now lodged the Council's report with the Greffe, and it is also available on gov.je. This first Climate Council report presents a comprehensive evaluation of the Government's implementation of the Carbon Neutral Roadmap during the first period for 2022 to 2025. Their report represents a significant moment in our climate governance, providing independent expert climate analysis of our achievements to date, where we currently stand, and where delivery must improve. Before highlighting the Council's key findings I would like to commend their work to the Assembly. This is a rigorous but also a realistic report, which I believe Members will find both challenging and encouraging. In 2019 we recognised the climate emergency and later committed to reduce our carbon emissions to net zero by 2050, with interim targets in 2030 and 2035. This unprecedented transition requires our long-term commitment, alongside our most pressing immediate challenges. It is something we are approaching in parallel with other nations as each of us unpick our specific challenges. The Climate Council have recognised our early wins and the fact that we are now into the hard yards of decarbonising transport, heating, and waste. This is a shared endeavour that deserves our attention and consideration as an issue that will increasingly shape our lives and the lives of our children and grandchildren. So what have they said? The Climate Council is clear that Jersey begins from a position of strength, but it also makes it clear that we must move faster. Our

strong foundations include our predominantly decarbonised electricity supply, our electricity infrastructure is in relatively good order, and early investment in social housing, all of which reduced emissions before the roadmap's inception. We possess a unique capacity to shape our own pathway, given our legislative autonomy. Our financial services industry also has the potential to play a truly meaningful global role in influencing sustainable investment beyond our shores. However, the Council is equally clear that on our current trajectory we are not on track to meet our interim 2030 target. While this is already understood, they stress that the biggest barrier is not technology, nor a lack of viable solutions, but policy, uncertainty, and continued investment in new fossil fuel systems that lock in emissions for decades. Transport remains our largest emissions source with progress on electric vehicles, public transport, and infrastructure still in its early stages. Heating too presents a significant gap. Low carbon heating grants have helped but uptake is uneven and the Council argue that without a clear timeline for phasing out fossil fuel boilers the market will not make the necessary investments at the pace required. In relation to the development of sustainable finance within our International Finance Centre, the Council warns that Jersey risks falling behind in competitive jurisdictions and could become a dumping ground for high carbon assets unless we move faster on frameworks, skills, and disclosures. They also raise the issue of competitiveness and reputation as much as environmental ones. Crucially, the Council's analysis confirms that net zero by 2050 remains both feasible and affordable, but only with stronger delivery. The Council's recommendations are clear. Government must provide stable, multi-year policy and funding; accelerate transport measures including pricing reform; activate travel; public transport; legislate where commitments already exist; develop long-term plans for waste and circular economy; and, finally, strengthen system-level governance, analytics and delivery. These are areas where I believe context is important, particularly balancing ambition with budget and resource constraints, but the broad direction they advise is consistent with where we must go and are indeed headed. The Council's own modelling indicates that at system level decarbonisation does not require higher long-term fuel costs per capita, especially when we accelerate the adoption of heat pumps and remove waste incineration from the electricity mix. Electricity demand growth is manageable with a steady transition and prudent planning; areas where Jersey enjoys advantages compared to many jurisdictions. The Council conclude that the principal challenges facing Jersey are how we manage the capital cost of transitioning energy systems and the residual value of fossil fuel systems in a socially just manner, rather than just technical or long-term economic concerns. The Council's report is also explicit about the counterfactual. Delayed actions raises total costs, risks asset lock-in, undermines our international credibility, exposes households to volatile fossil fuel prices, and threatens our competitive position, particularly in finance. There are also negative public health and air quality implications from continued fossil fuel use in transport and heating. We will now carefully review the recommendations made by the Council. Consideration of their analysis will inform policy development for the next delivery phase of the Carbon Neutral Roadmap. The next phase of the C.N.R. (Carbon Neutral Roadmap) is critical. The Council's work provides us with the information we need to act decisively and transparently. I would like express my thanks to the Council for their professionalism, independence, and candour. I commend their report to the Assembly.

The Bailiff:

Thank you, Minister. Are there questions for the Minister?

9.1.1 Deputy J. Renouf of St. Brelade:

I would like to echo the Minister's comments about the report, which I think is really excellent and a very sound guide to where we are and where we need to get to. The Minister says in his statements that the Council says the biggest barriers is not technology, it is lack of political decision-making and consistency, particularly where we are potentially locking in investment into

legacy fossil fuel systems. Given that, what does he think the Climate Council would say about his decision coming up on the relaxation of the ban on imports of new cars?

Deputy S.G. Luce:

I think I can say that in the brief discussion I have had with Climate Council, I would hope that they would understand my decision. I have been very clear of the reasons why I have done what I have done, and I have used the just transition and the ability for those who cannot afford to buy expensive vehicles as the main reason. But I have, in making that decision, also said that I believe there are other ways of getting to the same conclusion; of taking another road to get to the same destination. When you look at the Climate Council report they hint at it, and that is the way of using vehicle emissions duty, import tariffs, fuel duty, and other ways of trying to steer customer behaviour and encourage Islanders to do better.

[17:30]

So while on one hand they may well be critical of my refusal to ban used vehicles for importing in 2030, I have made a decision which is maybe not the one that other people may have come to, the other conclusions that people may have come to. But they do say uncertainty and lack of clear decision-making was one thing. I made a decision; we are not going down that route, we are going to try to get to the same destination by another road.

9.1.2 Deputy J. Renouf:

I specifically said new vehicles; the decision he is coming to with regard to new vehicles. Given that the Climate Council indeed says that “uncertainty has weakened market signals” and “the biggest risks arrive from delaying action” does the Minister accept that if he does not at least stick to the proposed ban on the importing of new vehicles by 2030 that he will simply be accused of talking the talk but being afraid to walk the walk.

Deputy S.G. Luce:

I can see where the Deputy is coming from, and certainly that may be the conclusion that some will come to if in a few weeks’ time I come back to the Assembly and say that I am also going to withdraw the ban on new vehicles. But if I did that it might be because, for example, we are going to align ourselves to U.K. policy on vehicles, and U.K. current policy is to ban the production of petrol and diesel vehicles in 2030. I have come to the conclusion - rightly or wrongly - that the amount of work we would have to do on-Island in coming forward with legislation, policy work, officer time, and resource would be wasted if the decision we made was then replicated in the U.K. and imposed upon us indirectly. So I feel quite clearly, and I have got to finish reading the conclusions of the consultation and indeed the great detail in the Climate Council’s report, but I feel that we may well be headed for a situation where a decision is made possibly to step away from the ban on the phasing out of the importation of new vehicles in 2030.

Connétable M.A. Labey of Grouville:

May I propose the adjournment?

The Bailiff:

Is there much of a mood for an adjournment? There is not much of a mood for it, you can propose it if you want to but I do not think you will necessarily succeed.

The Connétable of Grouville:

Are there any other questions?

The Bailiff:

There is a question from Deputy Jeune, but there may be other questions. Are you content not to propose it now?

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

I would like to welcome the report and thank the Climate Council for all the details, and also the fact that I have, as chair of the Scrutiny Panel, been all the way along this process working with the Minister and supporting the Council in providing this report. I would like to ask the Minister after making his statement ... in one of the media outlets today the title is: "Is Jersey's Government guilty of climate hypocrisy?" I was wondering if the Minister would like to respond to that, and does he believe that Government is guilty of climate hypocrisy?

Deputy S.G. Luce:

Before I come to my answer can I ask the Deputy, is there a certain context in which that might be phrased?

Deputy H.L. Jeune:

I believe it is related to the Climate Council's finding that polluter pay principles have been weakened or abandoned, and some high-emission activity such as aviation remains untaxed. As well as the fact that there have been several government buildings and refurbishments where fossil fuel boilers have been reinstated. I know I have already mentioned in the past at a States Assembly that ... I pointed out when the Opera House was being refurbished and there had to be a change of tack due to that pressure, but obviously the Council may have found other public buildings since I was in Government where fossil fuel boilers have been replaced.

Deputy S.G. Luce:

I see where the Deputy is going. Before I get to my brief answer, can I just thank her for her input as chair of my Scrutiny Panel. We sat together at the start of the Climate Council work and at the conclusion of that work, and very shortly, once my officers have had a chance to debrief the Climate Council, again on where we might go with our next stages of phase 2 and continuing with our low carbon initiatives. I am sure that both the Minister and the chair will continue to work on that, so I just want to thank her publicly for her help there. There could well be some hypocrisy aimed at Government. It is not that long ago that we made some decisions to reinstall carbon-burning boilers in schools and other large public buildings, and that is the sort of hypocrisy that the Council will be talking of in some areas. If Government are going to try to say that we need to go for low carbon it is going to somehow be incumbent upon Government to make sure that we walk the walk and not just talk the talk. But there will be other areas where we may in the past have not been quite as good as others. Certainly at the start of granting money for electric vehicles it was certainly aimed at us that we were subsidising people who could afford to buy those vehicles in the first place, and in the early days that may have been the case, but certainly I would say in most recent times the grant scheme has aided more used vehicles than new vehicles coming into the Island. There will be other areas where the Climate Council have criticised us for not being fair enough, and I think in the future we will certainly have to look at ways of helping those less well-off. We need to do that by maybe looking to increase the levy on fuel duty in order that we can have some money back to help those that are less able to pay. There may be other areas and similar veins where we have a levy in order to help those who are less well off. I accept the Deputy's point; there is work to do, clearly, and it is going to be incumbent upon the next Minister to analyse the outcome of this Climate Council report and see where we can make progress at lowering our carbon emissions, helping those with the least ability to navigate their way through, and also make some fundamental changes. Rather than insisting that people move to electricity, maybe allowing them to continue to burn oil but at a larger levy on that oil so that we move that way. Other things we might do would be to increase the insulation on all property, regardless of how the heating is fuelled, so that we use less energy and less oil. There is a lot of work to do but the next Minister will be able to get to grips with this report. There is a huge amount of good work in it.

9.1.4 Deputy H.L. Jeune:

I thank the Minister for his recognition of mine and my panel's work on this area, but also maybe carrying on from this, we are focusing in on the fossil fuels obviously in relation to climate change, but maybe it needs to now be framed in a wider context. We have just seen that the price of oil has gone up 100 dollars a barrel for the first time since 2022 and COVID and, therefore, weaning Jersey and the wider community off fossil fuel is also not just good for climate change but it is also to try to reduce our reliance on the Middle East and the fact that potential conflicts will carry on into the future. We need to have more local supplies of renewable energy ...

The Bailiff:

Do you want to come to a question, Deputy Jeune?

Deputy H.L. Jeune:

Does the Minister agree with me that the discussions on fossil fuel and access to renewable energy to fuel our cars is more than just climate change?

Deputy S.G. Luce:

Absolutely. The Deputy raises a very good point. We have all seen the volatility in the energy markets in the last few days specifically around gas and oil. Of course electricity will always be impacted, but not to such a great extent, and it is clear that sustainable energy is consistent and costs the same amount one day to the next, even though of course it may be slightly affected by the average price of energy and global markets. But I thank the Deputy for her question and agree.

The Bailiff:

If there are no further questions, then ... Connétable of Grouville, have you got a proposition you want to make? The adjournment is proposed. Are Members content to adjourn?

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

Sir, before we adjourn I wonder if you would allow me to make a proposition in relation to the order of business tomorrow?

The Bailiff:

Well, the adjournment has been ... what is the proposition you would like to make?

Deputy Sir P.M. Bailhache:

I would like to propose that P.47, the Suspension of Deputy Ozouf, be postponed until 24th March. Deputy Ozouf is ...

The Bailiff:

Yes, I think that is probably a proposition for tomorrow morning because the adjournment has been proposed.

Deputy Sir P.M. Bailhache:

I thought it might be helpful to Members to decide that this evening but if you have already ...

The Bailiff:

Well, they have heard what you said. If the adjournment is proposed, is that seconded?

Deputy M. Tadier of St. Brelade:

Sir, can I ask, so we know, why it is being proposed? On what basis?

The Bailiff:

We cannot have 2 propositions being dealt with at once. Are you happy to withdraw your proposition momentarily while we hear this or do you want to maintain your proposition?

The Connétable of Grouville:

No, I do not think so, Sir.

The Bailiff:

Do not think what? Do you want to stand up when you address the Chair, as is customary?

The Connétable of Grouville:

I would like to maintain my proposition that we adjourn now and take that proposition tomorrow morning.

The Bailiff:

Yes. That is the first proposition in time, that is the order we deal with things. Does anyone wish to speak on the proposition? Those in favour of adjourning now, kindly show. Thank you. Those against. The Assembly stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:42]