

# STATES OF JERSEY

## OFFICIAL REPORT

**MONDAY, 30th MARCH 2026**

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[9:30]

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

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

As I found today that the Minister for Health and Social Services signed an Order on Friday, and coming into force today, about £500 delayed discharge from the hospital I have submitted an urgent oral question, which has just been approved. I would like to ask to take it after lunch, that everyone will have time to prepare.

**The Bailiff:**

All right.

**Deputy T.J.A. Binet of St. Saviour:**

I was going to ask this in any event. I was going to ask if I can be excused this afternoon as I have to fly to London to attend a medical appointment with a family member tomorrow morning. On that basis, I am very happy to take the urgent oral question now. It is a straightforward answer, and I am very happy to deal with it, if Members are, at this point.

**The Bailiff:**

I was proposing to do it after the first debate so Members can see what the question in. Shall we do it after the first debate, which will hopefully end before lunchtime? All right, are you content with that? We will do that then.

## **PUBLIC BUSINESS - resumption**

### **1. First-time Buyer properties (P.55/2026)**

**The Bailiff:**

The next item is First-time Buyer properties lodged by Deputy Alex Curtis. The main respondent is the Minister for Housing. I ask the Greffier to read the proposition.

**The Greffier of the States:**

The States are asked to decide whether they are of opinion – to request the Minister for Housing, by 30th September 2026 – (a) to compile and publish a register of all residential developments subject to first-time buyer or affordable ownership restrictions, and to update that register as further sites are identified; (b) in consultation with the Minister for the Environment and the Minister for Treasury and Resources, to determine and publish for each site identified under (a) the legal or planning mechanism through which restrictions are applied, and the conditions under which those restrictions may be varied or removed; and (c) further to the work undertaken under (a) and (b), to bring forward options for modifying ownership restrictions on existing developments, together with the implications for housing supply.

#### **1.1 Deputy A.F. Curtis of St. Clement:**

I thank Members for their speeches on Friday. That saved me from the graveyard shift of debates at 5 o'clock. I will start by acknowledging this is not one of the large debates we have, and I am sure it will be one of the quicker. But I think for those who it matters to, and to those who are planning policy in the future, it matters no less. I will start with some questions, and Members may know the answers to them. The first one is how many homes do we have in Jersey? The answer to that, although it is hard to find an up-to-date one, is 48,610 private dwellings, including vacant dwellings in the March 2021 census, plus whatever has been developed since, less whatever was on the sites of those that were developed on. How many homes do we need? The most recent modelling on that

was in 2026 by Statistics Jersey who assumed that households required 46,580 homes in 2025. These are key numbers and the projections behind them inform how we deliver new housing and how we consider existing housing. My next question is how many homes do we have that have restricted tenure or first-time buyer restrictions or shared equity? This is where we run up against a blank wall. It is important that we have data when we move forward and make plans. It is important for those who live with assets that have restrictions on them that they know the lay of the land. We are going to run up to a new set of Island Plan policies, a revised Island Plan. Indeed, we have just changed the Planning and Building Law to allow for revisions. It is fair to say that housing has typically been the key driver for plan revisions and new plans, and in recent years the provision of new housing outside the built-up area has focused on affordable housing or housing of a restricted tenure. Nonetheless, we do not know the numbers, and we are going to walk into policymaking without the numbers. Members might be curious to have some ideas, and I hope those who read my report found it useful. I went through the records of at least new development since 1987 - the Island Plan then that lived until 2002 - and I identified, and Members will see the list of sites, anywhere between 1,820 and 2,274 homes provided with a first-time buyer or affordable purchase provision on it. These numbers do not include the many other sites that have been sold by Andium that were developed pre-then. Members will know that sites like Clos de Roncier have restrictions, Grasset Park, and many others around the Island. So, we have a measurable housing stock with restrictions, and we have an existing policy that defines first-time buyers. Our stock has a wide range of restrictions from requiring first-time buyer status to requiring provision to be on the Gateway. We have a wide and complex landscape, as the Minister acknowledges. At this point, Members might want to know where this proposition comes from. It may come from my belief that good data is essential for good policy and good decision-making. It actually comes from Islanders who contacted me some time ago, who own and occupy first-time buyer sites and believe that the current landscape needs to be reviewed. We have entire estates with large amounts of first-time buyer and Islanders have bought at the same time. We are seeing demographic changes on these sites. Their family circumstances have changed, and many times for the better. They raised their families in homes of a certain size, and they do not need the size of property anymore. But what they have found, and what many have found, and they have contacted me especially following the lodging of this, is that the market is not responding to their desire to sell, to release a home. That the conditions perhaps attached are not the right mechanism to restrict tenure anymore. That is somewhat shown out through the fact that we do not provide much first-time buyer restricted housing without a shared equity product. As Members will have read in my report, most of the housing on the market now that has a first-time buyer provision, has that but has nothing to deflate or to suppress the market value of that.

[9:45]

These are market value properties often listed around *circa* £700,000, £650,000, but have a restricted audience as to who can buy them. We may wish to ask, is that audience the right one? It comes from that position, and I should really sum up what this proposition does, because when I read the Minister's comments, it is safe to say they are what I call a soft objection. It does not feel like I am going to have a lot of pushback against the idea, just the implementation. I want to reassure Members that part (a) is a simple item to accept. Part (a) says that we should have a register of all residential developments subject to such restrictions, first-time buyer and affordable housing. In the Minister's comments he agrees, he says: "I have already commissioned this work, and a consolidated register of restricted tenure sites is being prepared." He recognises the value of this in saying: "A register of this kind will enable buyers, sellers, legal professionals and government officers to more easily understand site-specific restrictions, support faster and more consistent decision-making, and provide a clearer picture of the Island's restricted-tenure housing stock." You can imagine, if I read up to there, I thought I was onto a winner, except the next slide says: "I am not, however, in a position to commit to a publication date." That is disappointing, because what gets measured gets done. In this case, we have a dataset recognised by the Minister, recognised by many, to be of value for current

policy and for future planning, and it is not ready to work on. I think one of the fears or challenges here that I hope to at least persuade a few Members on is that I am not asking for a complete list to be published by September 2026. The Minister quite rightly highlights that the information spans decades of planning decisions, legal agreements and archived records. However, the wording of the proposition identifies that such a register should be updated as sites are identified. It is made and written in such a way to say that while we do need a register of all of these, it says that they are to be updated as identified. Because my fear and my concern to the Minister is if perfect is the answer in this, if every single sale of Andium that had a condition, every site with 3 houses of these, the Minister will not publish this in 2026, he will not publish this in 2027 nor 2028. His identification that some of these sites are complex and will only come out of the woodwork far later is accurate, but we have to start somewhere, and I think we start by actually putting into gear the wheels of motion that publish a register, and show that it is actively being worked on and we can bring the public with that. That could easily work by saying filling in the register from most recent to furthest back and actually saying to quality assure everything from 2000 onwards or not. It does not cut the mustard to say that it is too hard to start by September 2026 and start publishing. Part (b) is to focus on publishing the legal and planning mechanisms through which restrictions are applied and conditions under which these may be varied or removed. This is a corollary really to part (a), which is if a site is restricted and we know where the site is we should know what the restriction is. The Minister in his comments says that this would be, in essence, a form of duplication and any attempt to summarise, reinterpret or determine these mechanisms would be misconstrued. Well I would agree, we should not summarise or rewrite these, but what we should do is at least upload digital copies of these alongside the sites. Members will know that most Planning Obligation Agreements are online, but not all planning applications. They mostly go from 2012 onwards when they were digitised. While I agree we should point to the relevant dataset, it should at least be accessible to the general public alongside that file in the register. So, his view that we point to it is accurate; the data needs to be digital and accessible for those to use it. So, I hope again Members can see this is not a case of bureaucracy writing, it is just about collating and ensuring the information is there. Part (c) is the ambitious one, and I do not expect all Members to support here given the timeline, but this is the fact that if we have the data and we know where our housing sites are and how they are controlled, it is useful to know how we can use that data to effect new policy. Should we then look at the definition of a first-time buyer? Should we look at the occupant of a first-time buyer of a 4-bed house? At the moment we have restrictions on these. If somebody owns an open market one-bedroom flat, if they wish to buy a 4-bedroom house they can do so if it is a first-time buyer, but only under an exemption in which they sell their flats to a first-time buyer. I think the reality of that policy is a challenging one and one we may wish to review. That is it; 3 simple parts. Part (a), to get the register published and to keep the work going that the Minister says. As I say, part (a) says to update it where we identify new sites, ones that come out of the woodwork, those old developments where documentation understandably is of poor quality. Part (b), the corollary says, well, we have the sites. We now need to know what the conditions were. There is no point keeping that in Jersey Archive. Let us scan it. Let us put it in the same place and allow decision-makers to read it. Part (c) might push against the timetables and says, well, we have got the data, what shall we do with it? I think it is quite a simple thing and there is no technical or practical reason why part (a) or part (b) could not start to be implemented. It is a simple ask. It is one that will help homeowners make their case to the Minister, allow the Island better data decision-making, and I really have no more to say on it. It is quite simple. What I will say is I completely understand concern or thinking there is a lot of work in accepting part (c), and this is another review. I could even accept an argument on part (b), so I ask Members to consider that it will be taken in parts, and I certainly ask that at least part (a) is supported today. I make the proposition.

**The Bailiff:**

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

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

Deputy Alex Curtis describes the comments that I have published in response to this proposition as reading a bit like a soft objection. I am sorry to disappoint him on a Monday morning, but it is probably a little bit harsher than that. I think centrally for these 2 reasons. The first is that the Deputy is asking for a quantum of work to be done by a specific date that I simply cannot accept as realistic, and do not think that it can be done because of the complex nature behind each part of these, not even just them all in total but each part of them. I simply do not think it is feasible to have done by the end of September 2026. But also, a second objection to it is that I think some of what it asks us to do is not a good idea and should not be done. Deputy Curtis, in relation to the first part of this proposition, which in some sense is the easy bit because it is just finding information that is out there and publishing it. He suggested that it could be half done by 30th September and then update it as we go along from there. But I have to say that is not my reading of the proposition because that part (a) asks to compile and publish a register of all residential developments subject to first-time buyer or affordable ownership restrictions, not some of them. It is asking for that total amount of work to be done by 30th September. When it goes on to say, “and to update that register as further sites are identified”, I read that as updating it if you realised you missed something in your first proper attempt or if further sites are created that have first-time buyer restrictions. His reading of that is not the same as mine. I do not think that it is possible to do all of that work by the end of September because there are lots of housing sites with restrictions on them. They have all arisen at completely different times in history where the rules do vary quite significantly, and the founding documents for those sites and outlining their restrictions are found in all sorts of different ways and places. It is not simply going to some existing database and finding it all, it is a lot more complex than that. But that work will happen, that is something that was already underway. It is not a simple thing to do, and it will not be done by the end of September, but it will be done at some point. So that piece of work will happen but not to the timetable that Deputy Alex Curtis is asking for. The Deputy’s part (b) then asks us to: “in consultation with the Minister for the Environment and the Minister for Treasury and Resources, to determine and publish for each site identified under (a) the legal or planning mechanism through which restrictions are applied, and the conditions under which those restrictions may be varied or removed.” The documents that outline what those restrictions are and how they might be varied or removed, again, are spread over lots of different documents established at lots of different points in history and acquiring them is not that simple. That will take a significant amount of time and, in any event, I do not think that it is right that the Government should publish anything really that is separate to those documents that tries to summarise or paraphrase what those restrictions are or the mechanisms for having them removed. The only documents that should be relied upon for that information are those founding documents, like the Planning Obligation Agreements or deeds or anything else that contributes to that. Government can signpost to those, and that may well be part of what happens in the overall register at the end. But it should not itself provide its own interpretation of that information because that could be risked as being seen as legal advice or something that sellers or buyers should be relying on when it should not be, because that iteration of that information would not have legal force. It is only those founding documents. That is the sort of thing they should be looking at anyway when they are looking at selling. That should be something that they are looking for anyway, irrespective of this proposition. So, it is not of any particular value for the Government to be providing its own kind of demonstration of that information, and I would say it is a bad idea, and that is another reason why part (b) should be rejected. Part (c) as well we ask to reject. I have to push back a bit at some of the comments made in the Deputy’s report and his explanation about current housing conditions and the difficulties that they cause some people, because it is not just first-time buyer restricted properties that we are seeing a lower turnover than we have seen in recent years. It is properties across all different kinds on the Island that we are seeing that; it is not a unique thing just for first-time buyer restricted properties. I worry that if we accept that point at the outset and suggest that the solution is to take homes that were created to be enjoyed

not just by those first purchase but by future generations of purchases, and undo the work that was done at the time those housing sites were created, that we risk throwing the baby out with the bathwater and losing protections in those homes. That we would end up never getting back if we establish a framework for dismantling them and undoing the work that was done at the time that they were created. I think that there are 2 better alternatives for this, other than what Deputy Alex Curtis proposes in part (c). The first is that the Minister for Housing does have a reasonable amount of discretion as to who can qualify as a first-time buyer and who can have access to homes that have restrictions on them. In my tenure as Minister for Housing, I have made changes to that, that have made things a bit easier for people. In particular, those looking to upsize and for people looking to regain first-time buyer status as they are moving up the chain, and that has helped a bit. I am persuaded that there is more that needs to be done on that, and when the Chief Minister published the Investing in Jersey plan there was a specific part in that that said that we would look at first-time buyer rules and products. That is something that I have been working on, and I am hoping that before my last opportunity in this term of office to make some further modest revisions to the first-time buyer rules that, in particular, will allow them to work better with downsizing policies. That is something that we have made a lot of progress on in this term, and Deputy Tom Coles was one of those who helped put that on the agenda. Creating a better synergy between those 2 policies that finds people who are looking to upsize and people who are looking to downsize. Well, if you can get those 2 policies working together you can get that movement and you can help both people in those instances. There are elements to my discretion on the first-time buyer rules that I am hoping to sign off before the end of this term that will create better synergies between those 2, and also for people who are neither upsizing nor downsizing but looking for a lateral move. They might find a home of the equivalent size that they already own that is just better or more suitable for their needs for whatever reason. It might be location or other kind of amenity that is nearby.

[10:00]

Before the end of this term of office, I should be able to do some of that, which will help and will, I think, assist those who might find themselves unduly restrained by those current first-time buyer policies. That is, I think, a little bit in line with the philosophy underpinning what Deputy Alex Curtis is trying to do here. But I think it would be more suitable for this rather than going back and looking to overturn things that were set in place a long time ago, to provide an in perpetuity benefit over time. Of course, there will in the next term of office need to be a new Island Plan. That will be a very comprehensive process. It will be evidence-based, there will be lots of data and examinations of all these things underpinning it. I think for the next stage of lots of this, that is a much better place to be looking at to address those policies rather than taking the options that Deputy Curtis has proposed in this proposition. I do ask that Members reject all parts of this proposition. Part (b), because I do not think it is a sensible thing for Government to be doing; part (c) because it is throwing the baby out with the bathwater; and part (a), because it is already being done but not to the deadline that the Deputy proposes. The very final point I will make, is that I do think there is a genuine risk that with the number of propositions that have already been agreed to set the agenda for housing policy over the next year, so going over purdah, over the election and to the beginning of the tenure of the next Minister for Housing, we are getting to a point where all that space and time is being taken up by those propositions. Which actually means there is a risk that the next Minister for Housing is hamstrung by decisions of an outgoing Assembly on things like the review of the process for buying homes, the empty property stuff and now potentially this, putting a register together, which though it is a good idea I would not say that compiling a register is the kind of emergency action response that you would want when public have given you a mandate for change. That is something that you can and should take time with and not put aside more important work to focus on that instead. For those reasons, that some of what is in the proposition I contend is not the best thing to do, and the fact that this would not be able to be achieved within the timeframe that the Deputy proposes without severely hamstringing the next Minister and basically making the first year maybe of their appointment futile,

because they will not really have capacity to undertake their own agenda, I ask the Assembly to reject all parts of the proposition.

**The Bailiff:**

Does anyone else wish to speak on this proposition?

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

I think we described this a game of chicken the other day, did we not, with all these speeches? This is an eminently sensible proposition brought forward by Deputy Alex Curtis because it is looking for data. Is that not a handy idea? Is that not a great idea? We are being asked today to consider a proposition that, on the surface, appears administrative: a register, a review, and a set of options. But beneath that surface lies something far more important. This is a debate about stewardship. It is a debate about intergenerational fairness. It is a debate about the integrity of the commitments this Island has made to its people over many decades. Because the homes covered by first-time buyer and affordable ownership restrictions are not simply units in a market, they are part of Jersey's social infrastructure. They were created because the market alone could not deliver fairness. They were created to give ordinary families a foothold, and they were created as a promise. A promise that some homes would remain accessible to those who would otherwise be priced out. That promise is not a technicality, it is a social contract, and, like any social contract, it must be looked after and attention paid to it. Parts (a) and (b) of this proposition asks us to do something very simple and very overdue to understand what we have inherited. We cannot steward what we cannot see. We cannot protect what we do not fully understand. And we cannot take responsible decisions about the future if we do not have clarity about the past. A register of restricted ownership developments is not bureaucracy. It is the minimum standard of responsible guardianship. Mapping the legal mechanisms behind those restrictions is not optional, it is the foundation on which any future policy must rest. This is the work of stewardship; the quiet, careful work of understanding the assets we hold in trust for the public. But, Members, let us be honest with ourselves. The most sensitive part of this proposition is not the register, it is not the legal mapping, it is part (c), the request to bring forward options for modifying restrictions. This is where the debate moves from transparency to judgment. Because once we have a clear picture of the landscape, there will inevitably be pressure to tidy up inconsistencies. Tidying up can be a dangerous phrase in public policy. It can become a euphemism for loosening restrictions, for eroding affordability, for turning longstanding commitments into negotiable conveniences. That may feel administratively neat, but it risks creating windfall gains for some at the expense of future generations. It risks weakening the very mechanisms that were designed to protect fairness. It risks breaking faith with the people who believed that these homes would remain accessible not just for them, but for those who came after. Intergenerational fairness demands that we resist that temptation. Some schemes are outdated, some mechanisms are inconsistent, some restrictions may need modernising to reflect today's reality. There is nothing wrong with reform provided it strengthens rather than weakens the long-term public interest. The question before us is not whether change is possible, the question is whether change will honour the intention behind these schemes or undermine it. Will we use the new clarity to reinforce fairness or to dilute it? Will we protect the next generation's chance to own a home or will we narrow it? Will we act as custodians or as short-term managers? These are the questions that will define the legacy of this work. We are not the owners of these policies, we are their custodians. We hold them for a time and then we pass them on. The decision we make today will shape who gets a chance tomorrow. So yes, let us support the creation of a register. Yes, let us understand the legal mechanisms that underpin these restrictions, but let us also be clear that transparency is neutral, while what we do with it is not. The real test of stewardship will come when we are asked to consider the options that emerge from this work, and when that moment comes, we must ensure that our decisions protect the integrity of the social contract that previous generations built and that future generations will depend upon. Because fairness is not something we inherit, it is something we choose to uphold.

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

I have a far more narrow speech to make, which focuses on, I think, the main point of disagreement, if you like, that I can see here, which is about part (a) and the timing. The Minister for Housing has said that he is supportive of the main aim, he just does not think it is feasible in the time with regard to part (a). I think we agree we have to start somewhere. He says the work has already started. In terms of a deadline and whether you can meet it or not, I think we are very familiar in this Assembly with deadlines slipping. We are also familiar with the concept that you can produce a report that presents as much information as you have been able to gather in the time available, along with an explanatory note that explains why you may not have been able to do absolutely everything that would be required. That seems to me to be a perfectly normal response to a deadline being imposed, that you do your best to meet and you produce as much good information as you can within that time. So, I think the objection that the deadline for part (a) is just too tight on the grounds that it is impossible to gather all the information in that time is not really a fundamental reason for not voting for part (a). The Minister has also said that there are some elements of it that may not be ... that that timetable is not realistic, as I say, because of the time. The Minister may not have heard of my very best friend Claude. My best friend Claude is an A.I. (artificial intelligence) bot that is able to help with various queries of this nature. It is not that hard to task an A.I. agent to begin examining datasets for you. I imagine it is already going on in Government; one would hope so. But Planning Obligation Agreements can be trawled with the use of an A.I. engine to find a summary of all the things that fall within certain criteria. I wonder if it has actually been tried on this dataset, if the work is already underway. It seems to me that we perhaps should shift gear in the way that we approach something of this type. I think the other point that is missing here is the Minister has said that, as I say, it will take a long time. The better response to this would be to think of it in planning terms around the next Island Plan. But of course, decision-makers are having to make decisions all the time in planning terms. Two of the key things they are having to decide are around first-time buyer homes and affordable homes. Those are decisions that are having to be made all the time by planning officers and by the Planning Committee when planning applications get to them. What is the appropriate level to set for things around those 2 demands? Of course, it is very hard to know exactly what criteria you should be setting around planning applications if you do not know exactly what your current situation is. How much need is currently already met? How much need currently remains. So, this register of data that would enable decision-makers to make those decisions with just a little bit more clarity around the actual situation, as opposed to the finger in the air or this is what it was last time we looked or whatever. So, I think that it is wrong to say that we should just hang on until the next Island Plan is put together, which we do not know when it will be. If we introduce the ability to amend an Island Plan, then we might sit through another entire Assembly without producing another full Island Plan. The next Assembly might simply choose to amend rather than produce a new one. So, I think for those reasons this dataset feels very, very important. I would also say that the Minister's argument is slightly undermined. He says that this would tie up his department and hamstring ... it would mean that his successor would be hamstrung in the role because all the resource is already bagged by previous competing requirements. But, of course, he says the work is already underway. So, if it is already underway, what is to stop it just being tweaked up a little bit? We cannot be so close to capacity within his department that a little tweak on this would mean that he had nothing left, his department had nothing left. So, I think that Deputy Alex Curtis has identified a significant area of housing policy that we all care about deeply and worry about as part of the housing crisis, and I wonder if rebuttal arguments are being prepared. A significant area of policy has been identified. It is an area where everyone acknowledges, including the Minister, that we have some gaps. It is an area where the Minister says the work is already underway, and his only reason for not meeting the deadline is he says it would be difficult to meet the deadline because it would tie up too much resource, even though he is already underway doing it.

[10:15]

I think there is a pragmatic, easy way to approve part (a), which would simply mean that his successor Minister did as much work as they reasonably could by the deadline, and either then suggested a delay or published what they had and updated as they went along. It does not seem that difficult to me, so I shall certainly be supporting part (a).

#### **1.1.4 Deputy Sir P.M. Bailhache of St. Clement:**

Deputy Renouf has covered, to an extent, the ground that I was intending to cover myself, so I will be brief. I understand the Minister's arguments in relation to paragraphs (b) and (c), and it may be that they are premature, but I really cannot see any reason not to support paragraph (a). States-owned properties used to have no restrictions, and the consequence was that on resale, the market would have taken the value beyond the reach of first-time buyers, and so legally enforceable restrictions were introduced. But they have been introduced in a number of different ways, and frankly, we are in a bit of a muddle if we do not know exactly what the position is now. As with every interference with the market, there are unforeseen consequences. If the price is fixed at the level of first-time buyers, the market value of the property may well be higher, and potential sellers may find themselves stuck. They may want to move up market, but if they cannot achieve the market value of their property then they cannot afford to do so. That may be a price that we have to pay, but the first stage is surely to find out what the position is. If it was not possible to do it by 30th September, it is disappointing that the Minister did not lodge an amendment to make it 31st December, or whatever is the appropriate date. But for my part, I cannot see any good reason why in 6 months' time, if the work has already started, it should not be completed. We are about to enter a sort of policy vacuum during purdah, when no new policies can be introduced, and civil servants ought to be a little more able to carry out work of this kind. I cannot think of any good reason why we should not vote for paragraph (a).

#### **1.1.5 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:**

I would like to address part (b) of the proposition, in particular, and emphasise the issues that it would create. While work is already under way on part (a) to compile a register, Members should not underestimate the scale of that task. It involves reviewing decades of planning decisions and legal agreements, and that is a truly mammoth undertaking. Part (b) would extend this workload significantly. It is not a little tweak. It requires publishing for every existing first-time buyer property, the specific legal or planning mechanism through which the restriction was applied, along with the conditions under which it could be varied or removed. In practical terms, that means that, in all likelihood, a property lawyer would need to review the original source documents for every single designated property. I am not sure how long it would take to programme - I am sure Deputy Curtis would have a view - an A.I. bot to do that work, which involves a level of technical analysis. Some of which, if they are more than 10 years old, those documents will be in French, so we need a bilingual bot who can deal with conveyancing French to work its way through some of those challenges. It may be that asking officers to pile through property documents in French is a bit above and beyond what they are normally engaged to do. Consequently, this exercise will take months, if not years, and I struggle to see what benefit it will deliver. In any property transaction in future, the party's lawyers will always want to examine the full source documentation. They are very unlikely to rely on a summary provided in a register unless that register was fully verified and they were protected from errors in it. More broadly, the Minister for Housing is right to highlight the considerable burden that the proposition as a whole would place on the already limited resources of the Housing policy team. One might argue that those resources are better placed examining real policy developments that will make a difference to the housing market in Jersey and not in the simple administrative tasks of bringing together a register at speed for really little benefit. It goes without saying, therefore, that this could also lead to considerable unanticipated cost and liability for Government, even if we were perhaps to engage the property lawyers in the Law Officers' Department, who I am sure themselves are already busy. Deputy Renouf suggests that we can just

do what we can in the time available, publish what we can in the time available, and all will be well. We all know exactly how much criticism the Minister would face if he produced an incomplete work and said: "Well, I have done my best, but this is all that I can give you." He would be absolutely vilified by this Assembly, and we all know that. It is unfair to set a deadline that we know we cannot meet. It would put the future Minister under pressure that is simply not fair. For these reasons, I ask Members to reject the proposition.

### **The Bailiff:**

Does anyone else wish to speak on the proposition? If no one else wishes to speak, I call upon Deputy Curtis to reply.

### **1.1.6 Deputy A.F. Curtis:**

I thank those who spoke. Working backwards, the Minister for Treasury and Resources' speech there could be almost titled "Reasons to say no", but I have to say there are a few things I want to pull apart in this. Working right back from the last part, that actually publishing incomplete work would receive a challenge or ... I think that is a really sad place to position us in. I see the Minister saying it would. Well, that is a culture change that is one of the most important things we have to accept as a Government and as an Assembly, is to actually get our work out there in the public, get the Island knowing what is going on and, for a bit, take a bit of the abuse that we might get from the Facebook naysayers. But at the end of the day, perfect is the enemy of progress and good. I think we have a fear and an aversion to actually saying: "Look, work is being done." To the work is being done element, which I will touch on briefly in just a minute, I could not help think of the analogy or the scenario we often find ourselves in life in which you are working on a piece of work, it might be a desk-based piece of work, and somebody is pushing you, who does not need the work, but would quite like to know how you are getting on. They say: "How is it going?" They go: "I have done the first 2 chapters" or I am writing a book: "It is going really well. I am working towards it." In all reality, almost no work may have been done. They ask you again and you feel a little backed into a corner, because you really should have made progress in the last week. They say: "How is it?" "Oh, yes, you know what, I have really refined my arguments on this. I am working on the conclusion." The reality is maybe nothing has changed in the background. Then they say to you: "Oh, brilliant. Well, share your draft, whatever state it is in" and immediately your face drops and you go ... well, I cannot say the words you might say because they have caught you out, when sometimes the best working practices are those where you work in the open and you work and you say: "Well, look, I am really struggling on this and I cannot move forward. Here is where I am at." I smile and I see other Members smiling because they or their family members or their work colleagues have been in that situation. You always say the work is ongoing but actually it requires a bit of scrutiny from your friends, from your families, from your colleagues, to actually get that work in train, and that is what is really important about part (a). Getting the work in train and getting people knowing it is in train. At this point I will quickly deal with the comments about the wording of the proposition, and it is one where almost I feel you cannot win with a proposition wording. I considered the fact that it would be unfeasible to publish an entire list to start with. The original wording pre-amendment by those who support Members in amending for publication said to publish a register of all sites known to have restrictions and then further sites identified. I think it was felt that ... well, the fact that I have said "further sites as identified" clarifies that not everything is known right now. So, we entered almost a debate about the linguistics. "Sites to be identified" is not about changes or new things. about where a site is identified where it was not known and it is, in my view, perfectly legitimate to consider that we can publish a list, and as we identify more, we can go along. Other points to make, I would say that when it comes to part (b) - and I can sense the mood on part (b) - but I think at part (a) I would really like to see Members support. The discussion of property lawyers having to search for the clause and stuff, you can interpret part (b) in many ways. The way I meant it to be read as well, this restriction is provided by way of property contract, this restriction is provided by way of

Planning Obligation Agreement, this restriction is controlled under the statutory powers of the Planning Law under a condition. It does not require a lawyer to tell you that the condition lives within a certain statutory document. I see faces across the room. If it is felt hard to explain how to change that, what I really meant to say was we may have many of these governed by definition within the property contract. Many of these properties do not have it within the property contract. It may be within a Planning Obligation Agreement, but not the contract of property. Some of it will be on the condition of the approval of planning. Knowing where they are, it is as simple perhaps to say one must modify the property contract, one must amend in the Royal Court the Planning Obligation Agreement, and one does not need to go any further than that, then as to specify the statutory method in which one addresses it. I think the comments made about waiting for the Island Plan is correct. This is a piece of work that has to be ongoing. I have made the case that the best way to get this work to keep going and progress to be made is for it to be published, and I hope my analogy is clear to Members, that it would be better to publish in September. As somebody who has seen probably dozens of amendments from Ministers that change timelines to the one they think is appropriate and it is considered work is ongoing, work is underway, but the timeline is unfeasible. If the objection to part (a) was that, knowing this was split in 3 parts, it is disappointing to see that a timeline was not put. Maybe that comes down to the fact that there is a fear that there will never be a perfect time to publish. It will be hard to compile this data, and I think the comments made that we could be an entire Assembly away, we could go through 4 more years and still not have a register, is a legitimate position to find ourselves in. We are 4 years on from when I think it was Deputy Higgins, or 5 years on, brought one for commercial and residential properties. We have gone through the 4 years, we know the cycle if we do not get the work done and we know that the data is important for making policy here and into the future. I think I have made my case. I urge Members to support part (a). I would be clear to you, Sir, that the reading is “as sites are identified” means that where a site is not known to have conditions or where the condition is not found that may be added after September. The reality of decisions made in this Assembly is that if it cannot be done in a time it does not seem to get done in the time, but at least it holds feet to the flames. With that, I ask for a vote in 3 parts, obviously starting on part (a), and I call for the *appel*.

**The Bailiff:**

The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting on part (a).

<b>POUR: 19</b>		<b>CONTRE: 21</b>		<b>ABSTAINED: 0</b>
Connétable of St. Lawrence		Connétable of St. Peter		
Connétable of St. Brelade		Connétable of St. John		
Connétable of Trinity		Deputy C.F. Labey		
Connétable of St. Martin		Deputy M. Tadier		
Connétable of St. Clement		Deputy K.F. Morel		
Connétable of Grouville		Deputy M.R. Le Hegarat		
Connétable of St. Ouen		Deputy S.M. Ahier		
Connétable of St. Mary		Deputy R.J. Ward		
Connétable of St. Saviour		Deputy C.S. Alves		
Deputy L.M.C. Doublet		Deputy L.J. Farnham		
Deputy I. Gardiner		Deputy S.Y. Mézec		
Deputy Sir P.M. Bailhache		Deputy T.A. Coles		
Deputy D.J. Warr		Deputy B.B. de S.V.M. Porée		
Deputy H.M. Miles		Deputy C.D. Curtis		
Deputy J. Renouf		Deputy L.V. Feltham		
Deputy H.L. Jeune		Deputy R.E. Binet		
Deputy A.F. Curtis		Deputy M.E. Millar		

Deputy B. Ward		Deputy A. Howell		
Deputy L.K.F. Stephenson		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		

**The Deputy Bailiff:**

Accordingly, parts (b) and (c) fall away.

**QUESTIONS**

**2. Urgent Oral Question**

**The Bailiff:**

We come to an urgent oral question that Deputy Gardiner will put to the Minister for Health and Social Services.

**2.1 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding charges for patients who are fit for discharge from hospital. (UOQ.3/2026):**

Will the Minister advise why a policy change, introducing charges of over £500 per day for Islanders remaining in hospital after being declared fit for discharge, was brought into force by Ministerial Order without prior Assembly scrutiny or public awareness, and what assessment has been made of its impact on patients and families?

[10:30]

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

There are a number of points I think I need to make to clarify the situation. This issue has been in the public domain for a number of months. It was on the Health Advisory Board’s recent agenda earlier in the year, and it has their full approval. I would make it very, very plain that it is not a charge for healthcare, it is actually a charge for accommodation and food. When a patient has been deemed fit to be discharged and suitable accommodation and care package has been arranged for them, the charge will be introduced. But I make the point again that this has been deemed generous, in my view, that they have got 5 days’ grace before the charge is implemented. It is important for Members to know that last year we lost 1,000 bed nights from people choosing not to take up the arrangements that have been made for them, and perhaps it is just me, but if anybody thinks it is more important to keep people in hospitals sometimes for up to a month, occupying a hospital bed while we have got people at home in pain waiting for an operation, I am afraid their thinking does not accord with mine. Hopefully, that will cover it. The reason I introduced it by Order is because I can. I did not think on something as sensible as this it was worth wasting a huge amount of everybody else’s time. The Assembly gives me the powers to make these Orders, and I thought it was highly appropriate to do so.

**2.1.1 Deputy I. Gardiner:**

Thank you, Minister, for clarifying that this policy was to address delay of discharge due to the bed blocking. What evidence does he have that delays are primarily due to the patient choice rather than a lack of staff and care capacity in the community?

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

I will repeat that the arrangements have been made and there is a place for these people to go to. There is no doubt about it. We are not asking them to go to somewhere where there has not been an appropriate arrangement made. It is very often the case that people do not want to go and spend their time in a care home that is not the one of their choice while they wait to get the one of their choice.

They feel it is simpler to stay in a hospital bed. I am afraid if we had a surplus of hospital beds and a surplus of money it perhaps would not matter, but we are short of hospital beds and people are at home in pain waiting for operations, so I make no excuse for this. In fact, I think it is the right thing to have done.

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

Can the Minister just confirm then that the decision about whether an appropriate place is available will be one entirely made by medical staff and will not involve any consultation with the patient about, for example, whether it is appropriate for their needs in terms of what they consider to be their needs around, say, transport of relatives and so on?

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

There is a whole process that takes place. I have not got access to it at the moment. I am very happy to find out what that process is and to let the Deputy know. But you can rest assured, people are not being put in harm's way. Arrangements are being made for them to be properly cared for. As I say, it may be a difference of opinion. Perhaps people think it is better for people to stay and occupy a hospital bed for up to a month while other people are waiting at home in pain. Maybe we just put it down to a matter of opinion. It is not my opinion.

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

I am simply trying to understand how the policy works in practice. I think the question I would ask, to narrow it down is, does the patient have any say at all in the defining of what constitutes an adequate care package for them, which they would have to accept or face the charges?

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

All I can say is that I have not had any ... in the 2 years I have been here, I have not had any instances of it being otherwise. I am happy to make enquiries, and I am happy to let the Deputy know, as I say, what the procedure is. I cannot quote it offhand, but I am certain, as I say, we are not putting people into awkward or dangerous situations.

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

The charges for overstaying were announced, and I think went to the Health Advisory Board as part of a package of changes in charging policies at Health, designed to change behaviours and save money. Does the Minister intend to sign any further Orders or take any further action before the election relating to any of those other measures in that package, specifically on proposals to charge some Islanders for medical travel?

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

We have considered the medical travel issue and, given the amount of angst that it has caused and the relatively small amount of money, we are not going to take any further action. It will remain open for review for whoever the next Minister for Health and Social Services is, but we are not taking action on that. We are going to introduce eligibility criteria for people coming from areas where they should have health insurance. At the moment, very often we treat people for emergency care from those places, and we simply are not able to access the insurance money because the insurance company tell us that we have a policy of free treatment for everybody. So, we are going to introduce that so that we can have access to people's travel insurance money if they have emergency care.

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

I am very pleased to hear the decision that has been reached on the travel there. What work is being undertaken as part of the charges that are being introduced to address any of the root causes of overstaying in hospital, not just bringing in new charges to try to deal with it?

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

Well, if I understand what I am being told correctly, the root cause is people ... this is a small number of people who just want to go to the care home of their choice. I think, relatively speaking, it is as simple as that. I do not think there are any other major complications. As I say, if we had more hospital beds and more money, it might be a different story, but as everybody knows, until we have got the new hospital built, there is a desperate bed shortage.

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

The Minister mentioned the Health Board, and I note in the minutes of that meeting, the Board have recommended that individual cases are handled sensitively. Can the Minister advise what that might look like for a patient, if they are unable to pay or if they have reasons for needing to stay that perhaps fall outside what the Minister has planned for?

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

My understanding is that this takes place already. If anybody is reporting special circumstances, it usually goes to the Executive Leadership Team for consideration. So, I think those things ... as I said before, I do not think people are being badly treated in this instance in any way.

**2.1.7 Connétable M.K. Jackson of St. Brelade:**

While I support the Minister's proposed Orders, I would just ask to counsel care and the consequences of a patient being asked to leave - that is probably the wrong terminology - the hospital. My experience is that sometimes a patient may not be in a position, either mentally, physically, to be able to judge what is happening to them. So, it does fall back to the family to deal with. Those patients may suddenly find themselves, or the family may find themselves, in a position whereby they are faced with a charge which perhaps they were not expecting. So, I would simply ask him and his team to consider the consequences of any decisions that are made for a particular patient.

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

I cannot really comment on that, other than to say that I hear what the Constable is saying. I think that those considerations are taken into account already. I am led to believe that there is an appeals process so if the family, or the patient, are not happy, they can appeal.

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

I am disappointed that the Minister cannot articulate the process that is undertaken to ensure that a suitable care package is in place for every patient. Can the Minister assure the Assembly that there is sufficient capacity in his social work service to ensure that every patient has a proper assessment before their discharge from hospital?

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

I do not have any evidence to the contrary, so I think it is safe to assume that that is the case. I know that people might be disappointed, but I have the awkward job of having to justify taking £24 million extra money from the budget ongoing, so it is important that our money is well spent. There are a number of things that need to be done in Health, we have started to do them and there are more to come, because we have a more and more complex service that requires more and more money and we have to make better efforts to make sure that the money is spent properly. For that I make no apologies.

**2.1.9 Deputy H.M. Miles:**

Can the Minister explain why he has not satisfied himself of these important issues before he signed the Order?

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

It is because it is an organisation of 3,000 people. I run a reasonably sizable organisation myself, as it happens, and when you are in that position you learn to trust people. We have got, I think, a pretty first-rate team of people running the organisation now, and there are a whole range of areas where I have to trust what I am being told by people every day of the week. So that is my experience of how these things work.

**2.1.10 Deputy I. Gardiner:**

In the context of the cost of living, does the Minister accept that these charges risk penalising patients for system failures? Given the advisory board reference for debt collection and administrative charges, would he confirm whether the Council of Ministers considered this policy and whether supported evidence and advice would be published?

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

There were a number of questions there, I was trying to take them in, and I do apologise to the Deputy, but if she could repeat them, I will just try and take some notes as we go.

**Deputy I. Gardiner:**

Does the Minister think there is a risk to penalising the patient? What he has done with the advisory board with reference to debt collection, can he confirm if it was discussed with the Council of Ministers and if the evidence will be published?

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

The issue of charges was discussed with the Council of Ministers. It was a courtesy matter. I do not intend to publish anything. I have been given permission by this Assembly to take these decisions, and take them I will. I do not think that there is any risk to patients at all.

**PUBLIC BUSINESS - resumption**

**3. Statutory Duty to Future Generations (P.56/2026)**

**The Bailiff:**

We now move back to the next item to debate, which is Statutory Duty to Future Generations lodged by Deputy Wilson. The main respondent is the Chief Minister. I ask the Greffier to read the proposition.

**The Greffier of the States:**

The States are asked to decide whether they are of opinion – that it should be a statutory duty of the Council of Ministers to consider the impact of policy making and law drafting on future generations and to request the Chief Minister to undertake all necessary actions to implement a law setting out the Government’s “Duty to Future Generations”, such Law to have regard to – (a) avoiding decisions that create unsustainable debt burdens on future generations so they can sustain economic well-being and prudent management of the Island’s finances; (b) preserving, and the natural environment from irreversible damage to enable future generations’ enjoyment of the Island and its surroundings; (c) reinvigorating the Island economy to prevent future generations experiencing economic and social decline in our communities; (d) protecting the Island’s identity and its assets for future generations and strengthening community cohesion and resilience; and (e) ensuring policy decisions and laws actively strengthen the ability of future generations to adapt to the pace of economic, technological, environmental and social change over time.

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

I think we all agree on something quite fundamental. Jersey is a wonderful place to live but how will we make sure it will remain so, not just for us but for our children and our grandchildren, the future

generations, and that we are able to say with some confidence we left things better than we found them. To see that our decisions now stand the test of time and that we made these by choice and not by chance to avoid storing up problems that someone else has to fix later. So, at its heart this proposition is about something quite straightforward: how we make better decisions. The reality is the decisions we take in the Assembly are not abstract, they are tangible and far-reaching, and in many cases difficult to undo, each with implications not just for today but for the decades ahead. That raises a fundamental question: are we consistently set up to think long term or do the structures with which we operate sometimes pull us inevitably towards shorter-term fixes, immediate pressures and electoral cycles that do not always align with the Island's enduring interest? The purpose of this proposition is not to reinvent the wheel, it is to strengthen the way the wheel turns, to provide a clearer, more consistent framework that helps us translate long-term ambition into day-to-day decision-making. This is where the evidence becomes important. The Comptroller and Auditor General assessed performance against the indicators used to track progress on the Future Jersey vision in 2024 and concluded Jersey is not meeting the ambitions it set out.

[10:45]

The system is not yet doing what we think it is doing and pointed to the following structural reasons: "A lack of clear and consistent accountability; gaps in how responsibilities are understood and applied; and no systematic way of demonstrating how decisions contribute to long-term outcomes." Either way, we have to accept we have a set of important aspirations we are not meeting or change our ways to make sure that we do. Strengthen our resolve and act to ensure the intent is fully embedded in the ways decisions are made in practice. Intentions today are insufficient if they are untested, unexamined or invisible to the wider community. Concentration of Ministerial responsibility may be efficient in the short term, but it is fundamentally incompatible with how we should be organising for the longer term. If we adopt a duty to future generations law, we will be certain to design in and organise structures that protect long-term sustainability into generational fairness and well-being. That scenario is not unique to Jersey. Other jurisdictions have encountered the same challenge, and we do not have to look very far to see what is working in practice. In Wales, the Well-being of Future Generations Act 2015 was introduced with real ambition. A deliberate choice was made to embed long-term thinking into the machinery of government, not as an optional extra but as a core discipline. It created a framework that encourages public bodies to think beyond silos, to consider prevention as well as cure and to weigh the long-term consequences of their actions. The early years of implementing the law were not straightforward. Public bodies were not always clear on what was expected and the cultural change took time, much longer than a political cycle. But what happened as a result is described as one of the largest public sector culture change programmes in Wales, where the system of governance moved from considering the future to being required to act on it. They did not have a strategy but completely rewired how Government is expected to operate. So, what they did was place a statutory duty on public bodies to think long term, to prevent problems and to integrate decision-making across systems in the pursuit of well-being goals and setting well-being objectives to demonstrate how they contribute to long-term outcomes. They appointed a commissioner, a Future Generations Commissioner. They developed public service boards, and they introduced new ways of working that designed how decisions were made. But the biggest impact was the cultural shift in the work of the public sector. I am not suggesting that this proposition calls for wholesale adoption of the Welsh model; that is not its purpose. What it is signalling is that we need a system of governance built around long-term thinking, and Wales took that challenge on. One that emphasises prevention and is structured on integration, collaboration and meaningful public engagement. At its heart this proposition, if adopted, imposes a clear statutory duty on Ministers to evaluate and account for the long-term impacts of the policies they bring before this Assembly. Embedding that discipline would strengthen decision-making, especially when we face complex, interconnected challenges that resist simple solutions. This is an obligation that cannot be filled in a single political term, nor by any one officeholder. It is an ongoing responsibility, one

that this Assembly and those that follow must continue to uphold. All I am asking is can we start the ball rolling and signal intent on this issue. In developing such an approach, we can learn from the Welsh experience, which highlights both the opportunities and the practical challenges of embedding long-term thinking into law. These lessons are directly applicable as we confront questions of sustainability, resilience and the legacy we leave for future generations of the Island. In summary, the Welsh model has not only built structures and changed processes, but it has also brought a cultural shift in how democracy operates. This is not mere rhetoric, there is a clearly defined operating model behind it, demonstrating that if long-term thinking is to be realised, it must be deliberately designed and not left to chance. The approach deliberately enforces integration across sectors rather than siloed policy and, even where specific policies or laws are not adopted, it shifts the policy baseline and sets out statutory expectations for how decisions can be made. The lesson is unmistakable. Long-term thinking does not happen by assumption or because people disagree with it. It happens by design. Where systems do not require it, short-term pressures dominate. Where accountability is unclear or diffuse then outcomes become unpredictable. That brings us back to Jersey. This is not a question of whether we care about the future - we clearly do - it is a question of whether the system we have designed makes it likely that we will deliver on that ambition. The Comptroller and Auditor General's report finds that by and large outcomes are too often shaped by circumstance, by who happens to be making the decision, the pressures of the moment and the weight given or not given to long-term considerations. In the drive to secure short-term results, we are seeing policy and legislation brought forward without sufficient regard for their longer-term consequences. That is where uncertainty creeps in and where a lack of joined-up thinking begins to undermine the system. This proposition seeks to change that. It would require consistent system-wide consideration of long-term impacts for everything that comes before us, improving the quality of decision-making and making it more transparent. So, the question before us is not whether to add more policy, but whether to strengthen the framework within which all policy is made. This is a measured step in that direction. It places a clear duty on Ministers to enhance accountability, to ensure decisions are properly integrated and to demonstrate rather than assume the long-term implications of what they are bringing forward. In doing so it moves us towards a system where conditions for better outcomes are designed in from the outset. If we choose not to take that step then despite the best of intentions, the C. and A.G.'s (Comptroller and Auditor General) findings suggest that Jersey's future will continue, at least in part, to be shaped by chance. She has pointed us to what is missing. Clearer accountability, stronger integration into decision-making, and a more consistent expectation that long-term impact is demonstrated, not assumed. So perhaps the question for Members is simply this: do we believe the system we have today is enough to deliver the future we want? If the answer is yes, then we should be content with the evidence before us, but if the answer is no, even in part, then we have an opportunity here, not to start again but to ensure that what we have already committed to is capable of delivering what we expect of it. In conclusion, the recent Better Life Index shows Jersey scoring the lowest for civic engagement among O.E.C.D. (Organisation for Economic Co-operation and Development) countries, which does not bode well for the future. How long will we continue to look at this or that situation or that scenario before we accept something different must be done to improve the position? How then will we shape systems for the future betterment of Islanders if we are not engaging them in decisions affecting their lives. This proposition is not about whether we care about future generations, it is about whether we are prepared to shape a system that makes delivering for them more certain. If we do, we begin to shape something more deliberate, more consistent and more accountable. That is the shift I am seeking. So, I ask Members to support this request, to start the work to strengthen our system of accountability, to focus our decisions and efforts on outcomes, and to secure a sustainable, well-governed and prosperous Island for generations to come. We can only achieve this by choice, not by chance, and design through a clear statutory framework. I make the proposition.

**The Bailiff:**

Is the proposition seconded? [**Seconded**]

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

I thank the proposer for bringing the matter to the Assembly and for the genuine good intention behind it. But, regrettably, I rise to speak against it. Let me begin by making one thing absolutely clear. Opposing this proposition is not the same as opposing long-term thinking, sustainability or responsibility to future generations. Those are values we all share and those are values, I believe, at the forefront of all of our minds when we are making policy in this Assembly and in the Government. The question before us is not whether we care about the future, it is whether this proposition will meaningfully improve how we govern. I do not believe it will. At first glance, the proposition is attractive. It speaks in broad and positive terms about the responsibility and about sustainability and intergenerational fairness. But when we look beyond the language and examine what it actually does, we find something slightly less compelling, an unclear and unenforceable duty that risks adding further administrative burden without delivering real change. Ministers are already required to consider long-term impacts. We already operate within strategic frameworks that emphasise sustainable well-being and fiscal responsibility and environmental stewardship. The proposition does not strengthen those frameworks in any meaningful way. For example, what does it mean in practice to have regard to future generations? How is that assessed? What determines whether a Minister has complied? The proposition does not answer these questions. Without clear definitions, standards or enforcement mechanisms, we risk creating a duty that exists on paper but has little effect in reality. There is also a risk of unintended outcomes by introducing another statutory requirement into the policy-making process. We risk slowing down decision-making at a time when agility is essential. Ministers and officials will feel compelled, even more compelled than they are now, to produce additional assessments, not because they improve decisions but because they satisfy a new procedural expectation. That, in my opinion, is not better government. Members should also consider the issues of duplication. We already expect Ministers and Members of this Assembly to act in the long-term interests of the Island. We already scrutinise policies for the economic, social and environmental impacts. There are already clear statutory duties in place. For example, the Public Finances (Jersey) Law requires Ministers to consider the long-term sustainability of Jersey's finances and economy and the well-being of Islanders across future generations. The Planning and Building Law places a direct duty on us to protect and improve our environment and natural resources. Beyond legislation we are supported by independent oversight from Statistics Jersey and the long-term outcomes set out in the Future Jersey framework. So, the question is not whether we consider the future; we already do. The question is whether adding another duty, another layer, improves that practice. Members may also wish to reflect upon the experience elsewhere. Ten years into the introduction of the Well-being of Future Generations Act in Wales, to which Deputy Wilson referred, an independent review by Audit Wales found that the Act has not delivered the system-wide change that was originally intended. That is exactly the risk we face here. Creating a broad statutory duty may sound positive, but without clear mechanisms it does not automatically translate into better decisions or better results. If we are serious about the future, and I believe we are all serious - very serious - about the future, that long-term thinking has been driving the policy of this Government and this Assembly. But if we are serious and want to improve it, we should focus on the measures that have a real impact, strong scrutiny, clearer policy frameworks, better data and transparent reporting on longer term outcomes. These are the tools that will genuinely improve decision making. In conclusion, I thank again the Deputy for the proposition, well-intentioned but for the reasons I have outlined in my speech I urge the Assembly to reject it.

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

I was very interested to see this proposition and read the intent behind it, and I do not think this is really about policy mechanics or legislative process, it is more about responsibility. It is about

whether we as an Assembly are prepared to take responsibility, not just for the people living in Jersey today, but for those who will live here long after we have gone.

[11:00]

We all know how this Assembly works, we deal with immediate pressures, budgets, service demands, political priorities, and more often than not short-term fixes to long-term problems. That is totally understandable. These pressures are real, we feel them in the here and now. But what really concerns me, and what I think Deputy Wilson's proposition highlights, is that too often those short-term decisions are storing up long-term consequences, and it is consequences that someone else will have to deal with. It will not be us, it will be our future generations. Our children and our grandchildren and the Islanders who will live here in 20, 30, 40, 50 years do not get a vote, they do not have a voice in this Assembly, but they will inherit everything that we leave behind. All the good and all the bad. If we look at honestly where we are today, the warning signs are starting to emerge more starkly than ever before. We have all raised concerns about the sustainability of our public finances, the impact of our ageing population, the pressures on our health system that we have just heard about in the last 15 minutes, housing challenges and whether our economy is actually properly set up and fit for the future. All of these are issues that have developed over time, not because people made bad decisions, but because very often decisions were not tested properly against a longer-term impact. That, for me, is the issue. It is not necessarily bad intentions, but it is a lack of structured, consistent foresight. In this respect we are not starting from scratch, we already have a long-term vision for Jersey through the Future Jersey framework and its outcomes. We have already agreed the kind of Island that we want to be, sustainable, fair, prosperous and resilient. We have already set our outcomes around that, around the environment, the economy, community well-being, quality of life. The question is not whether we have got a vision, we have got a vision; but the real question is are we consistently using that vision to guide our decisions or is it something that we refer to only occasionally for the Common Strategic Policy but certainly not systematically? So, the vision exists but it is not always embedded in how decisions are made day to day, and the Comptroller and Auditor General probably makes that clear in every report she writes. It sits alongside decision-making but not always within it, and I think that is the nub of what this proposition is seeking to address. As I have said, we have already got the Future Jersey vision, we have already agreed the outcomes, but what this proposition does is make sure we actually use them, not just refer to them. If we have taken the time to agree a long-term vision then we should also require ourselves to test all our decisions against it consistently, transparently and over the long term. I see Deputy Wilson's proposition as giving practical effect to that. It introduces a clear duty to consider how decisions affect the future and to show that work. It asks Ministers to think about whether we actually are creating financial burdens that others will have to carry. Whether we are damaging the environment in ways that cannot be undone. Whether we are strengthening or weakening the long-term economy. Whether we are protecting what makes Jersey Jersey and whether we are preparing people for a world that is changing faster than ever. They are responsible questions that should always be at the forefront of our decision-making, and they align directly with the outcomes that have already been agreed. The comments put forward by the Council of Ministers suggest that Ministers already think about the future and, yes, sometimes they do. But the problem is it is not consistent, it is not always visible, and it is not something we can reliably point to and say: "Yes, this decision has been properly tested against long-term outcomes." For me, that is what is missing, and that is what a statutory duty provides. It is something that Scrutiny and Scrutiny Panels in the main often raise. The public are asking these questions. They want to know whether we are planning properly. They want to know whether the vision we have set out actually means something and too often we cannot give a clear evidence-based data-driven answer. The world is changing more quickly than we would like, technology is advancing, economies are shifting, demographics are changing and global uncertainty is increasing and all of this has an effect on such a small community. It is no longer enough to have that vision in writing sat on a shelf, something that we pay lip service to. We have to embed that thinking in every decision

we make, and that is an element that has actually been very successful in Wales. But for me this is ultimately about trust. Trust that when we say we are working towards a better future we actually mean it. Trust that we are not passing on avoidable problems and trust that we are matching our decisions to our ambitions. Do we want future generations to say: “Oh, yes, they had a vision, but they did not follow it through”? Or do we want them to say: “Yes, they planned ahead, they acted responsibly, they thought about us”? I do not see this proposition as replacing the Future Jersey framework, I see it as strengthening it. It ensures it is used and not referenced and, as Deputy Wilson said, Jersey is not just about the people who live here today, it is also about the people who will live here in the future. This proposition for me is about making sure that our actions actually match the vision we have already agreed, and for that reason I wholeheartedly support it.

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

I am glad that we are having a debate here and that there seem to be a number of Members who are still willing to speak, because Deputy Wilson has brought a very important subject to the Assembly and she does it on the basis that, of course, she uses the Welsh example, but it also recognises that far too often in politics, and it can be particularly pronounced in a small community like ours, we are often focused on firefighting so we are dealing with very immediate issues which are not even necessarily focused on the future, but are actually focused on things that have just happened. How do we react to that? How do we stop it happening again? It can be also the very short-term future, things like the cost of living, which are absolutely real problems that people are dealing with. But, of course, which do not just occur overnight. Indeed, things like the cost of living, things like transport issues, things like environment, roads, whatever they are, education, all of these issues often do not just spring up, they have deep-seated causes and roots. That is the same for positive and negative outcomes. So, I think it is really important that we do make that cause and consequence. A reason that I have particularly valued having the Deputy as our vice-chair on the Economic and International Affairs Scrutiny Panel is that she does not just think about what is immediately in front of us, she attacks it from every angle, does the analysis, and that includes looking at future proofing and a proper risk analysis. I think that is what she is seeking to do here. As the Chief Minister said, there is a great deal of agreement around the fact that we should all be having regard for all of these areas that are being put before us. There are some areas that I particularly feel strongly about. If I am looking through this list, I think something that we have not done particularly in Jersey very well, and others might have their own particular paragraphs in this that speak to them more than others, is that I do not think we have been great in part (b) at preserving and protecting the natural environment from irreversible damage and to enable future generations’ enjoyment of the Island and its surroundings. I think what we have seen often around Jersey, whether it is in the coastline ... less so in the interior. I think we have done a pretty good job actually preserving development to the urban areas and the south coast actually. Although that has not been without problems there has been a concerted effort to avoid ribbon development, for example. But I do not think we have done that around the coastline. There are tensions, of course, between some of these things when it talks about the future economy and there are, and there have been in the past, I would call them rampant free market politicians who have then gone into Government, and some of the consequences we have seen around some of these paragraphs, particularly (b), with inappropriate development and still pushes for inappropriate development around our coastline, are a consequence of that politics. So, this is where I have a genuine question for the Deputy in her summing up, is that I do share some of the concerns about how we get to this final point. So I do accept actually that when it comes to the Welsh example, although the Chief Minister has chosen to focus on the audit that took place which says that maybe some of the aspirations have not happened or they have not happened quickly enough, there are also lots of positives that have come out of the fact that Wales have implemented this 10 years ago, and they are there to be seen. However, I do wonder about how this would be implemented in law. There might be different ways, so when the Deputy talks about implementing this in law, I am wondering whether that could take the form of a C.R.I.A. (Children’s Rights Impact Assessment).

We know that we do have a Children's Rights Impact Assessment in our current propositions. There is already a requirement for Ministers when they are bringing forward new legislation to have a human rights impact assessment. There is now a requirement of course for a Children's Rights Impact Assessment to happen for all Members. I must say I think that is a double-edged sword because I think what has happened in reality is that while the intention is that all Members should be considering children and I think you could argue ... because the Deputy does say how does the Assembly assure itself that the needs of future generations are formally considered? Well, part of the way we do that should be through the C.R.I.A. already because the children are the next generation. So, anything we are considering should immediately consider children who are therefore the next generation. But it does not necessarily do the full job, I appreciate that. Deputy Wilson will be thinking not just of the next generation, it would be about the one after that and the one after that. It is more strategic and systemic, I accept that, but I do pose the question: do we already have something there which goes part of the way to doing that? But, at the same time, I ask the question: is the C.R.I.A. that effective? What I see happening often now is that Members, especially backbenchers who are perhaps so busy writing propositions, and then the C.R.I.A. is almost done for us. Often the answer will be that there are no Children's Rights Impact Assessment in this proposition, where of course there are. There will always be a Children's Rights Impact Assessment because this is about what happens in the future and how they might be impacted. It is just they will not necessarily be children. That is the difference. So, something that affects children now might not be affecting them later because they will be growing up hopefully. So, there are all these questions that I think need to be answered. The next point I would ask, and probably I will make this as my last point, is that I do think that there is also a tension, coming back to my first point about the tension between the environmental impact and sometimes the economy, and there are those who will say: "Blow the environment, as long as we are making money everything is going to be OK." Hopefully there are not too many of those who will find themselves in this Assembly in the future, but we know that can happen. What if a particular party decides that it wants to stand on a manifesto of complete liberalisation and actually saying: "I think we should completely develop St. Ouen's Bay. I think we should actually let people on the north coast develop their houses into hotels and that we should just let the market dictate because actually that is going to bring more tourism in. We should put lots of big hotels around the airport and harbour." I support Strive; I do not mind putting that on record. I think what came back there is actually going to be vital for the economy, but it is right that there is a process that that went through that put the environmental and the social challenges that it faced and balanced those up rightly. But what if that kind of Government got elected on a mandate of actually saying it is OK to destroy the environment because we think, in balance, we have still got enough environmental pockets around where people can enjoy themselves, and this is the only way to secure the economy in the future. How would we then implement that in law to say that they have to have consideration to part (b), when actually getting rid of part (b) is part of their core manifesto. So, I know that might be an extreme example, but I think I would like to hear back about how this might work in reality, as well as in fact whether this is just again something that could amend current law. So is this a case of implementing complete new primary legislation, or are there ways that this could be put into current laws so we are all giving consideration. The bottom line is that absolutely this should be something that we are building in, and future Assembly Members and future Governments should be building on it automatically. The onus should be on all politicians in future to make sure that they have had due regard for all of these areas. The Deputy is right, that especially in a small Island with, I would say, an unsophisticated form of politics still, it does not necessarily guarantee that when it comes to manifesto writing that all of these things will be covered. But I would like to give an assurance that whatever happens here today that Reform Jersey, as a party, is very mindful of the fact that we should not just be focused on the immediate issues. We do have to give people hope and answers for the next few years, but actually we should very much be focused on what Jersey is going to leave for future generations in 10, 20, 50 but also 100 years' time to make

sure that we have got the kind of Island that everybody can enjoy, that everyone can be part of and be productive in.

[11:15]

That actually that Island both includes something that is environmentally intact and tangible, but also one that people can enjoy themselves in, be happy and live long and prosperous lives. So, I do thank the Deputy for bringing this to our attention.

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

I want to start by emphatically agreeing with Deputy Miles on something that she said about this proposition, that it matches the vision that we have already agreed. I think that is the core principle that I wanted to get across to Members today with this proposition. I think there are new ideas here, and Deputy Tadier spoke along these lines as well, but I very much think that this is along the lines of things that we have already agreed to, and I would remind Members about corporate parenting and our responsibilities to the U.N.C.R.C. (United Nations Convention on the Rights of the Child). Deputy Tadier raised some really good questions about how this might work in reality. I have had similar thoughts and have some suggestions. In terms of the comments to this proposition, while I do understand that this is right at the end of the term, at the end of an Order Paper, I would really have liked for the Council of Ministers to maybe consider amending this and to have taken more of a: “What can we do and what could we take on board from this approach?” rather than dismissing it and asking us to reject it, which I will not be doing, I will be supporting it. The report to the proposition talks about Wales and the Well-Being of Future Generations Act. We had a Welsh parliamentarian visiting Jersey very recently, Joyce Watson, who is a very respected parliamentarian. I was very lucky to have some time with her to show her the Island, and we talked a little bit about some of the things that happen in Wales. I really think that Wales is getting it right in some of the areas that we need to aspire to, and this is one of them. The comments from the Council of Ministers pulled out one line from a report that said: “The Well-Being of Future Generations Act is not driving the system-wide change that was intended.” That is not the whole picture, and I think just because something has not quite yet achieved everything that it has set out to do does not mean you just throw it in the bin. We can reflect on our own C.R.I.A.s in the same respect. Now C.R.I.A.s are something that I brought forward with a backbencher proposition many years ago and we still have not got it right, but it does not mean that we should stop doing them. It means that we need to be a bit better at doing them. Again, Deputy Tadier mentioned the fact that we need to look at C.R.I.A.s a bit earlier, that it needs to be the first thing that we are reflecting on when we are thinking about ideas for propositions and legislation. We can do better at that. I have hope that this Assembly and the next Assembly, whatever that looks like, can and will improve even further and that cultural change will continue to happen. We have come such a long way in terms of considering children’s rights. When I reflect upon my first term in this Assembly, I was laughed at sometimes for raising children in the context of various debates, including environmental debates about land, *et cetera*, and play space. I am no longer laughed at for raising children; it is something that we have a consensus about in this Assembly, and we have made huge progress. We have got more that we need to do. We need to be using those C.R.I.A.s a bit more meaningfully. There are other documents and other things that were mentioned in, I think, the Chief Minister’s speech, which I listened to with interest, because sometimes I think we do not understand how much we are doing. I think there is probably more already being done than I realised. I still think that we should support this proposition today. A document I was surprised that the Chief Minister did not mention - and forgive me if I missed it - Deputy Jeune, myself and the previous Minister for Justice and Home Affairs, Deputy Miles, we had an equality impact assessment document put in place, which is something that all policy officers have available to them to assist them in reflecting and to assist Ministers in reflecting. I think that document could be built upon. I think the fact that it was not mentioned means that it does perhaps need to be used more meaningfully and further embedded in the work of Ministers and of

Government. I can see several ways that the intent behind this proposition could be embedded in some of the things that we have already got, including the C.R.I.A. and including the equality impact assessment already in place within Government. The reason why we need some kind of mechanism or a formal step in our decision-making to think about future generations is because our brains are not set up to automatically do this. There is a psychological mechanism called hyperbolic discounting. It basically means that we live in the present in the main, do we not? It is very hard for our brains to regularly think that far ahead to future generations. Because we are not doing that automatically, we need a system and a mechanism in place that gives us that notification of: "Hey, please remember to do this." I think it is reasonable to have this in our decision-making processes. Another thing I wanted to bring to Members' attention is the voice of children in this matter. In 2020 a very interesting case was brought against over 30 European governments, and it was brought to the European Court of Human Rights by a group of young people. I think it was a group of Portuguese young people. They asked the court about this very matter that we are discussing today, it was focused on environmental matters, but they felt that their governments were not giving adequate consideration to their future well-being and to the well-being of future generations. Now, the court did say they could not hear that in that court because there needed to be action taken locally within their individual governments first, but that court affirmed the principle, it did not deny that that principle is important. I would really like Members to bear those young people in mind and to think, if we had children in this Assembly here today, what would they be saying to us, what would they want us to do? If we had the Youth Parliament here today, how do we think that that Youth Assembly would vote on this, because this proposition is about children today, it is not about us. I am middle-aged, I am halfway through my life - I can see eyebrows being raised; yes, I have spent a quarter of my life in this Chamber - but we must think about not ourselves, and maybe this is an administrative burden that might be placed on the adults in government today. Fine, I will take it. I will take that small administrative burden to get better-quality decisions that are giving due consideration to the children who are coming after us. I think in terms of the direction of other jurisdictions, this is where things are headed. Other jurisdictions will be doing this, and I would really like Jersey to be a trail blazer, which we have done with our indirect incorporation of the U.N.C.R.C., and we must not stop there. This I see as a stepping stone to the direct incorporation, because we have our C.R.I.A.s, which is us giving due regard to children's rights here and now when we propose our laws and propositions. This would give a stepping stone towards the direct incorporation of the U.N.C.R.C. I think it is very sensible, I think it is very doable within the C.R.I.A. or within the equality impact assessment or other ways. I think it is something that the next Government could very easily put into place and I will be supporting it today.

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

I am pleased to follow the previous speaker, and I will not speak about the process, but what is in the heart of this proposition in front of us today. It is very simple. Before we make the decisions, we pause, we consider and we ask: "What will this mean for the next generation?" Let us be honest here, when we choose to borrow, and we are going to borrow a substantial amount of money very soon, and when we choose to spend our reserves - we already agreed to spend the reserves, and we know that they are a really low level - we are already shaping the future. These decisions that we made last December to spend the reserves will impact children who are not in this Assembly today; they will impact them. So, the question in front of us today is, if we do affect future generations - we clearly do; we do affect future generations - do we do it consciously, transparently, and consistently? Basically, today Deputy Wilson asked us to consider: do we ask statutory duty? It will be a clear requirement from the Minister to assess, to report and show how policies and laws impact future generations, not as an afterthought - we had lots of afterthoughts - not as a general statement but it is about how we are making decisions. Now the comments paper, I read the comments paper, and the comments paper tells us we are already taking future generations into account. The Chief Minister's speech said we are doing this and that, we are doing laws to consider, but the question if

we do it consistently, do we do it without contradictions? For me, future generations is not just about the finance, it is about health, life chances and inequality that begins in childhood. It was interesting that Deputy Tadier raised how does it affect the environment, and I completely agree. Let us think about specific examples. I am coming from a place of children and education there with my heart; let us bring it down to a real example. Last week, our health measurements were published; health measurements I think it was. So last week's reports are saying that 35 per cent of children in government schools at age 11 are overweight or obese compared to 22 per cent in the private schools that are overweight or obese. Now, they are not just overweight, they are also undernourished, there is not a right balance. Why I am giving this example is because we all know over 4 Ministers, including myself, worked to introduce meals into schools to balance their diet. During my time I doubled the schools, and now I really welcome the Minister for Education and Lifelong Learning - who is currently not in the room - that he continued this plan and now all schools do have school meals. But as Deputy Tadier and Deputy Doublet said, we are talking about the C.R.I.A., so this step met the C.R.I.A.s; it was real progress, but it is not enough. It is a wider community health impact, and this is where C.R.I.A. does not require it and this is where we have a contradiction. This year the Health Department cut funding for the H.E.N.R.Y. (Health, Exercise, and Nutrition for the Really Young) programme that was run by Family Nursing. What is the H.E.N.R.Y. programme? The H.E.N.R.Y. programme is not theoretical policy, it was practical face-to-face support for families, helping parents to understand nutrition, routine, parenting, giving them confidence to make changes that would work in real life. Through this work and the wider childhood health improvement project, that is so clearly beyond just the measurements. We have stable measurements, but they are really, really high: 53 per cent of adults are obese or overweight. But this project tells us something very, very important, that we are not doing enough to reduce the problem and it does not capture the full picture. We are seeing more selective eaters, the children have healthy B.M.I. (Body Mass Index) but poor nutrition and it affects their development, their concentration at school, their mental and dental health. So, this project H.E.N.R.Y. works directly with families and is seeing something very clearly: it is not that the parents are unwilling, they are overwhelmed, they need practical support. It is not just information, they need to feel empowered, judged and be taught. This project was cut. For me, this is why the proposition does matter, that the Council of Ministers, the whole Assembly will work together and we will not have 2 contradicting policies: one supporting and one cancelling the health outcome for the public, and it will not come through the C.R.I.A.s, but it would come if we ask what our future generation need and what kinds of preventative human-centred programme we would like to have.

[11:30]

It cannot be measured in the short term because the results will be in the long term. So, for me, this proposition does not prescribe outcomes, this proposition does not remove democratic choice, what it simply requires is us to think, to evidence and to show how our decisions affect the future. We can say: "We considered this and this is what it means." We cannot delay it because it is not: "Oh, we can do it in 4 years, in 5 years" because it still will take time. As Deputy Doublet said, we will start somewhere but it takes time to really implement it and to embed it, to feel it. I personally will support the proposition because future generations, our children, my child, will not judge us on what we said in the Assembly, how it is important, they will judge us on what we choose to protect, to cut or to fund and prioritise. Voting for this proposition is showing that we are ready to take responsibility seriously.

### **3.1.6 Deputy L.V. Feltham of St. Helier Central:**

I have to say that I find the timing of this proposition and this debate quite awkward. It does feel somewhat like an outgoing Assembly seeking to decide what some of the policy priorities of an incoming Assembly may well be in this summer. I was reminded that I did indeed think about bringing a similar proposition myself earlier on at the beginning of this term when the initial

Government put together its Common Strategic Policy. I looked at that at the time, and I felt that it was lacking but decided at the time that the better way of going about that would be to bring amendments to that Common Strategic Policy. That is indeed where we ended up as an Assembly, making reference in that first Common Strategic Policy. I am pleased to say that the new Government 2 years later also made reference to the Future Jersey outcomes measures. So, when I looked at this proposition, it does seem to be something that is going to require quite a lot of work that could be simplified. For me, rather than requiring legislation and Law Officer time and all of the work and expenditure that would be required with that, the most efficient and effective way of achieving the aim that is set out in this proposition would be for the incoming Assembly to make commitments in their Common Strategic Policy, the commitments of that Assembly based on that Assembly's mandate. For me, there is no requirement, there is no need to spend the money on law drafting. We all know that we will have other priorities that will need law drafting and we would not want to hold that up, but the incoming Assembly will have the perfect opportunity to make the type of commitments that are being talked about within this proposition, within the process that already exists. That, to me, would be the most efficient and effective way of getting the type of outcomes that the Deputy would want. I would like the Deputy in her summing up to explain why she did not bring this proposition earlier on in this term of office - because I think that would have been a more effective time to bring that so this Assembly could make a commitment for this Assembly coming in with its new mandates based on the manifestos that the Members will have taken to the public - why the Common Strategic Policy process cannot deliver outcomes that she is looking for, and why she thinks that this is the most efficient and effective way to do it because I certainly do not. I think that we already have mechanisms that can lead to the next Assembly making the types of commitments that the Deputy is asking for here, so I will vote against this proposition.

### **3.1.7 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:**

It will probably come as no surprise that I am also not going to support this proposition. This proposal will add complication and additional work to the existing processes, needing more resource and likely additional growth in the public service, something which we are all told continually the public want to see less of. We already have requirements to consider sustainability of finances and sustainable well-being built into our laws. These were recognised by the C. and A.G. in her 2024 report of the performance framework. As she said: "Jersey is a leading jurisdiction by enshrining into law a requirement to consider sustainable well-being in Government decision-making and also that Jersey has been at the forefront of best practice in implementing a requirement to consider sustainable well-being in Government decision-making." Those requirements are already in our Public Finances Law. Treasury has also initiated a number of initiatives to promote longer-term thinking, including the establishment of the Jersey Capital Investment Fund, which we supported this week, the development of a long-term capital plan, and a shift to long-term financial planning. These initiatives are closely aligned to the aims of this proposition and create a better approach for a small Island than implementing yet more legislation and disproportionate bureaucracy, which is better suited to a larger jurisdiction. I think my biggest problem with this is it aims only at Government and the Council of Ministers. Deputy Miles alleges a lack of structured inconsistent foresight. That appears to relate to Ministers but what about everyone else? Any backbencher can bring forward a proposition which does not look beyond the end of next week, and we will all vote for it because it is nice, we are giving a lollipop to someone, a new supporter, and perhaps because it is in the run-up to an election. So, any legislation that requires Government to think and look forward must also apply to backbench propositions. We need to be clear, anybody bringing a proposition needs to look forward. Deputy Doublet mentioned several; Deputy Tadier and Deputy Doublet have talked about some of the impact assessments: child rights impact assessments, human rights impact assessments, economic impact. I am not sure we do enough of those. In fact, one of the things I am pleased about it is that we have referenced Wales. Derek Walker, who is the Commissioner for Future Generations in Wales, came to the Island, I think in 2024, and I spent some time with him. One of the things he said was that

they found themselves in the position where they had so many impact assessments it was turning into a cottage industry and nothing was getting done. So, they refined into a single assessment - and I cannot remember in the lapse of time what it covered - but they narrowed it down, for the sake of avoiding bureaucracy, into a single impact assessment. We need to stop introducing bureaucracy and this debate allows me to - and I am sure many of you have heard it before - repeat my favourite quote over the last couple of years. It is from Derek Walker, the Commissioner for Future Generations in Wales - the talk was organised by the C. and A.G., I do not recollect a vast number of States Members attending that talk, although we were all invited - but he said during his talk: "Well, we can do this in Wales and we do that, and there are all sorts of things we could be doing, but we have to remember that we are a small jurisdiction of 5 million people." We are a small jurisdiction of 100,000 people and we must bear that in mind when we create ever more bureaucracy and legislation. If there is a problem, let us sit down, address the problem, and find a practical way of fixing it, because making a law is not necessarily a solution to any problem.

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

I am pleased we have had such a good debate because it does feel like we are engaging some quite big questions. I think this proposition does ask some big and urgent questions. It is about a massive systemic cultural change, really, and I think the Government's response shows why it is needed. The one thing that Government knows it wants, and which is an easily stated goal, is economic growth. I fear the Chief Minister is already bored. That is what we are increasingly hearing, is the goal around which everything else is organised, not just here but everywhere. Of course, economic growth is very important; that goal is part of our culture, but that should not be our goal in isolation. I would say that sustainable well-being is a much better goal than economic growth if you want a meta-goal for society. Where are we as a society? How well is our society working? Some of us I think are about to find out some quite sharp answers to that question. We have a very widespread anger and frustration. There is a collapse in faith in politics, down from an already low base, and part of that, I would say, is because people do not see a clear link between politics and their lives. In particular in this context, they do not see a clear link between economic growth and better lives. The famous heckle during a Brexit debate 10 years ago at a public meeting in the north-east of England still resonates. At that meeting the great and the good - I think it was the Deputy Governor of the Bank of England who was speaking - argued that Brexit would have a long-term negative affect on economic growth. A woman shouted from the audience: "That is your economic growth, not ours." She used quite a pithy epithet in the middle of that. **[Laughter]** We all know that of course there is a link between economic growth, a growing economy and what Government wants and needs to do. Without it we cannot fund the services that the public want and expect. But what that question said was: we need to think a bit more deeply about what the purpose of society is. Our economic system is in crisis because it is failing to deliver for enough people what an economy should deliver: decent living standards, hope for their children and so on, and that has led to the crisis in our democratic system. I am talking more widely than Jersey here; I do not just mean low-voter turnout. The sense of anger that people feel about their lives spiralling out of control and Government does not address what they want it to address. I think the problem we have in terms of the Better Life Index, which holds quite an unflattering mirror up to us, it is not just the low voter turnout, which we all know about. Even if you abstract that from the Better Life Index figures that came out last week, I am afraid the bromide that we repeat over and over again in this Assembly about what an amazing place Jersey is to live in, is not altogether shared. A lot of people do not think it is a great place to live in at the moment. They certainly believe, I think, it has the potential to be a great place to live in, but they do not think that, and that is what the Better Life Index told us. So, what is our big, imaginative and creative response to that situation? Well, I think what we have, of course, is terrific inertia in the system. Well, my word, how would you make this happen? So much bureaucracy, administrative burden. The Chief Minister and the Minister for Treasury and Resources say essentially that we already have the mechanisms in place, that the current framework works. I think that the assessment

would have to be, from the public's point of view they do not see it. It is not about additional reports, it is not about a different Common Strategic Policy, it is about the change in mindset. To answer the Minister for Social Security's point, it is about a legal commitment that transcends one government.

[11:45]

I have got news for the Minister for Treasury and Resources - it is a shame she is not here to hear me convey it to her - she says that her main objection to this proposition is that backbenchers need to think about these questions of sustainable finances. Can I just inform the Minister for Treasury and Resources, that law applies to everyone, that is the whole point. A law brought in to achieve this would compel backbenchers to follow it. It would achieve the very thing that she says is what is missing. Well, well. The Minister for Treasury and Resources also said that Wales has narrowed it down. Well, yes, great, they have narrowed down the scope. They have worked out how to make it work more efficiently. Great news. We can learn, can we not, from the experience of other jurisdictions? It has also been argued, and the quote has been used twice now, that the Sustainable Well-Being Act did not deliver a clear system-wide change. I met Jane Davidson when she came to the Island in the middle of this term of the States. She was the woman who did more than any other to drive that agenda through in Wales. She was candid, she fully understood, but she saw it, not as a problem, that it was just part of the ongoing process of refinement and improvement and making things better, but it emphatically did deliver change. In 2019, the Act informed the overturning of a plan to spend £1.4 billion on a 14-mile extension of the M4 Motorway bypassing Newport. That is one of the most famous examples. Instead, a sustainable network of additional rail stations, rapid bus routes and cycle corridors was announced and Wales now has a plan to increase public transport, walking and cycling to 45 per cent of journeys by 2045. That is what effect it had. It drove the increase in recycling rates in Wales. Wales ranks now second in the world for recycling because they have embedded sustainable well-being. To my first question, and my very first point, the Act has also changed how prosperity is defined. Government and public bodies are now required by law, for example, as part of that, to deliver fair work and a low carbon society rather than measuring progress through G.D.P. (gross domestic product) alone. But sustainable well-being is also of course about how you finance government into the future. It provides a far better framework for considering the very real trade-offs that future governments are going to have to make between tax and spend, where we get our money from, what taxes we raise and how we make our spending choices. It would provide a new framework, a new lens to see those questions through. It is understandable the Government does not want it; it does challenge the way we work. I know that the Government is taking on board some of this agenda and every Government has made an attempt to reflect this in their thinking. Every Government has. I accept the present Government has been sincere in that, our Government certainly was as well, but this is about a process, it is about deepening the engagement with these issues. Government has its groove with regard to the current requirements. It is done in a familiar way, there is a muscle memory for how to deal with, how we approach that question that is in our current law. It is to some extent done by rote; similar paragraphs appear in every Budget. As Deputy Miles says, at the moment, sustainable well-being sits alongside policy-making, it is not as deeply embedded as it could be. So, the central argument from the Government is that everything is OK in our sustainable well-being ambitions. This proposition says it is not. It says we need to raise our game, the Government needs to rethink how it approaches long-term sustainability, what we have now is not good enough. It is not about tying the hands of future Governments; that betrays a terrible poverty of imagination. This is about trying to improve the way we do government in the interests of everyone. It is also critically about the power of law. Once something becomes a legal matter - as you will know, Sir - it engages the policy-making brain a lot more urgently; in fact, I would say it rewires the policy-making brain. That is the whole point, it is transformative. We have seen that with human rights, for example; the incorporation of the European Convention has been transformative, and it gives the public a powerful lever to hold us to account, and without that it does not happen. So, for me, adopting this proposition means adopting an agenda that would signal the

kind of decisive shift, the kind of transformative moment, the kind of sit up and take notice that the public need to see. On that basis I shall support it.

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

I am sorry to bring some Members of the Assembly back to reality, but the way that you secure the best outcomes for future generations is not to establish a framework that creates civil service non-jobs to write reports that nobody ever reads, but it is by the public of Jersey electing a Government with a platform of tangible policies that are in the interests of future generations. That is real politics, not the politics of vibe over substance, which is what, I am sorry to say, this proposition is. Guess what? We are all going to disagree on what that substance is because that is the nature of politics. Passing a law that says you must think about this, does not guarantee any of those outcomes in any shape or form. Deputy Gardiner in her speech referred to the Budget from last year. She said where we had spent reserves and that will have an impact on future generations. A fair point perhaps, but what did we spend it on? We spent it in establishing a back-to-school bonus and free childcare, which will have an impact on future generations. It is all subjective, and we will all disagree on that, and I will come back to that shortly. I would argue that an agenda that includes things like establishing a new Residential Tenancy Law to provide support for children who live in rental accommodation so they cannot be kicked out for unfair reasons or their parents exposed to unjustifiable rent hikes, or proposing abolishing the fee for young people to see a G.P. (General Practitioner), something that Members of the previous Government voted against, and establishing a framework of progressive taxation are all things that are part of our platform that would have a tangible impact on delivering better outcomes for future generations. Those are the subjects that we ought to be debating. My calculations here are extremely rudimentary but if I make just a couple of assumptions on this, that what happens as a result of establishing this kind of statutory duty is that we create a workload within the Civil Service to produce the documents that have to substantiate that thinking on future generations. Let us just argue in total that amounts to the equivalent of 2 full-time employees on a civil service salary - again a number out of thin air here - but let us just say £40,000 a year, so £80,000 a year in total, we would need to have, by my calculations, 10 workers in the private sector on the average salary to generate enough tax revenue to pay for that work and those reports, which many of us will not have regard for because they do not reach conclusions that meet our preconceived positions, when that money could have been spent on something else. That is something that no matter whether you are on the left of politics or the right of politics, we must accept our Government needs to get away from that kind of thinking where we create jobs funded by taxpayers to do things that are not particularly productive, rather than having better political leadership that makes the decisions that are in the interests of our community. It was amusing listening to Deputy Renouf who said that looking at the Government's response to this proposition he thought there needed to be a culture change. Well, I would ask, what culture was there for the year and a half when he was in power where they did things like vote against free G.P. appointments and other things that are clearly in stark contrast to the lofty principles that they would argue are in this proposition? Much has been said to cite the example of Wales. It is amusing, because the Government that established the framework that is being extolled by this proposition is about to be kicked out of office next month or a month just after. When they have their election all opinion polls about that government are going to be heavily rebuked by the public. We can all tell why, because they themselves have that agenda of vibe over substance and people are not feeling the difference that government is meant to be delivering for them. So, I hardly extoll them as a great example of something to be copying here. I am going to use an historic example now of why I have no inclination to support this proposition - and I suspect I may not get some of the foot stomping from colleagues that I did just get - but I am reminded of the infamous Government Budget from 10 years ago where, among many other measures, it was proposed to abolish the single-parent component of income support. That meant the family group that statistics showed us was most at risk of living in poverty in Jersey, had £2,000 a year of support for those households cut. If this law had been in place then,

what impact would it have had on that decision? It would have had no impact on it because the Government of the day knew what they wanted to do, pressed ahead with it, and made an argument. What instead would have happened is that somebody in Cyril Le Marquand House, as it was at the time, would have spent an afternoon coming up with a couple of paragraphs for the report of that proposition that attempted to justify within these terms what they were doing anyway. It would have served as no safeguard against that policy that most of us would recognise was against the needs of future generations because it was a political decision to make that policy and implement it. Because that is what, at the end of the day, this is all really about, it is about politics and democracy. If we want to have government that safeguards the interests of future generations and implement policies that set the framework for allowing them to prosper, the duty is on the public of Jersey to elect Governments that have the agenda to deliver on that. Passing a law that most likely will just create a couple of non-jobs in the Civil Service to write reports that most people either do not read or do not have regard for is not the panacea that we are being sold here. It is important to bring us back to reality and recognise that, because we should not be spending our time on those completely intangible things. We should be spending our time debating the policies that will leave a better Island for those future generations, one where there is less poverty, one where there is more affordable housing, one where waiting lists in our health system are lower, that is what we ought to be spending our time on. We are going to have loads of disagreements along the way, and we will have different ideas for how we do that, but somebody somewhere coming up with a report that measures it against the principle which we can see in Wales is not making any difference, is not going to fix our politics. That is why we need politics of the substance and not of the vibe, and I vote against this proposition because it is vibe over substance.

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

I will start by acknowledging we all share the same goal: to leave this Island in a stronger position for future generations, and that is not in dispute. The real question is whether this proposition is the right way to achieve it. In my opinion it is not, because the evidence does not support the idea that creating a new statutory duty will meaningfully improve decision-making. Firstly, Jersey already has legal obligations that require long-term thinking. The Public Finances Law explicitly requires Ministers to consider long-term sustainability across economic, social, environmental and cultural well-being. Our planning laws already enshrine protection of the natural environment and Island character. These are not optional considerations, they are statutory duties that already exist. Secondly, we already have multiple independent mechanisms designed to challenge short-termism.

[12:00]

The Fiscal Policy Panel consistently reports on long-term fiscal risks, including the impact of an ageing population. The Comptroller and Auditor General highlights structural weaknesses in areas like healthcare sustainability. Scrutiny Panels regularly test whether policies are aligned with long-term objectives. The issue therefore is not the absence of frameworks but how effectively we use them. Thirdly, there is limited evidence that similar legislation delivers better outcomes. In Wales, for example, the Well-being of Future Generations Act has been reviewed after nearly a decade and the conclusion was clear: while it raised awareness, it has not driven the system-wide change that was intended. That is a significant warning: we should not assume that legislating for intent automatically leads to better results. Fourthly, this proposal risks creating unintended consequences. It would likely introduce additional layers of reporting, compliance and possibly new oversight structures. That means more time spent producing assessments and less time delivering results. It also risks turning inherently complex long-term judgments into box-ticking exercises where the process is followed but the quality of decisions does not improve. Finally, we must recognise that long-term impact is often uncertain and subjective. Predicting economic, technological or social conditions decades ahead is inherently difficult. Good governance requires flexibility, judgment and accountability, not rigid statutory tests that may constrain decision-making without improving it.

What has been said about the child rights impact assessment, human rights impact assessment, economic assessment, equality impact evaluation guidance, and including the intensive research work I have done in the last few months on gender-sensitive policy and budgeting, but did not complete how I hoped, are all valid points. Perhaps a way forward would be to combine all this into a single simplified assessment for use across Government and the Assembly. This though will not be achieved through legislating through this proposition or within this term but should be a consideration for the next Assembly and, if I return, I will certainly work towards it. I welcome the focus on long-term planning that this proposition encourages. Our party is committed, not just to short-term fixes, but to policies that create lasting benefits for future generations. We have heard from Deputy Feltham how she amended in 2022 the Common Strategic Policy to include Future Jersey, showing that meaningful long-term planning can be achieved without new legislation. This is about practical policies that have a real impact over time. Rejecting this proposition does not mean ignoring the problem, it means focusing on what will make a difference: better use of Scrutiny, clearer long-term planning, more transparency with the public and stronger political accountability for the decisions we take. Ultimately, no law can substitute for responsibility. It is up to us as elected representatives to think beyond the short term and we already have the tools to do so. For those reasons, I do not support this proposition, and not because the goal is wrong, but because this is not the most effective or proportionate way to achieve it.

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

What an interesting debate. I think the subject matter is interesting but so are some of the arguments being taken and how they are being presented to us today, I think on what could be the final day in this Assembly of this political term. I think it is fascinating indeed. I was not intending to speak but I have been inspired to do so by some of the speeches. A lot of the very positive stuff I wanted to say has already been covered, so I will cut that out of my speech, but I will share a few other things that I think we have not quite reflected on yet. A couple of speakers have seemed to infer that we just do not need this, and that the election is the way of ensuring that you get such decision-making, but this is not a radical way forward. Countries all over the world are taking these kind of decisions and showing what can be done with it. We have talked a lot about Wales but there are also places like Malta, Finland, Hungary, Scotland and Ireland who have committed to enshrining the principles in future legislation. Germany, Canada have their own different versions. In 2024, the U.N. (United Nations) adopted the declaration on future generations which has guiding principles, commitments and actions for implementation. Because it is the action that follows from something like this, as so many speakers have quite rightly pointed out, that is where the meaningful stuff happens and follows from. I absolutely agree it needs to be meaningful but the fault of something not being meaningful or saying that we should not have it because the words themselves are not meaningful, does not make having such an act or an approach pointless in the first place. It just emphasises that it is then those in power, it is up to them to make it meaningful, and to take action based on those words, those legal commitments that we are talking about here. For me, it is not good enough to say: “Do not worry, we are handling it” or: “Elect us and we will handle it” because it is about building in a system that enables that to happen across election cycles, no matter who is elected. We know, I think Jersey history clearly shows, that we cannot make good long-term sustainable decisions well with election cycles interrupting those along the way. The way to make meaningful change happen in our Island is to take people with you across those 4-year cycles as well so, to me, it is about how to find ways of doing that. This is exactly how you can do that. I went to a speech a couple of years ago given by Serena Guthrie who, as many people know, is a Jersey woman who captained England. The take-away from her was to leave your own version of the dress in a better place, and the dress in her case obviously was the England netball team and the dress, but it is a common thought process you can adapt to other versions. What is your version of the dress? What is our version of the dress here today in this States Assembly as we are at the end of our 4-year term? I think that is something for us to all think about. I do not take the point that it is all just about an election and a 4-year cycle; it

goes beyond those 4-year cycles and this Assembly. There were a number of, I think, points made by different Ministers that I thought about responding to, but it is the last day of this Assembly, as I say, and I just do not think it is productive. I think it is a shame that a debate like that goes like that, to be perfectly honest, because this proposition talks about collaboration, it talks about people working together with a common aim. This is about agreeing that common aim. Deputy Feltham did talk about maybe the next States Assembly or a new States Assembly should look at something like this. But, of course, if it is then put into legislation, they will get the chance to as well, will they not? That is important to me. Finally, the Chief Minister, of course, referred to the 10-year review that was carried out by Audit Wales on the Welsh example. As other speakers have said, there was a lot more in that report than simply saying that it is not working as well as it could be. I just want to read the quote that comes from Adrian Crompton, the Auditor General in Wales, and it is on their front page when you go to this 10-year review: "Ten years on from its inception, I see energy and enthusiasm for the Act in various quarters; and I see public bodies having different conversations, making decisions informed by the Act, and changes in practice. But for all the good examples, there are those that are not so good. The Act is not driving the system-wide change that was intended. Of course, driving change across often large, complex organisations is hard. But I urge public bodies to see the sustainable development principle as a value-for-money issue. We cannot afford to design solutions that do not meet people's needs, burden future generations with avoidable higher costs, or miss opportunities to deliver more with the same or less." I think that is a very, very relevant message to Jersey today and I will absolutely be supporting this.

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

I thought I would speak on this. It is interesting that what we seem to be doing here is outsourcing the need for consistent principles across Governments. To me, the way to do that and the importance there, is the role of properly established parties with clear principles that they have stuck to for many, many years, and that is why I stand as a member of a political party. Now you may not agree with my principles, and that is fine, that is called politics. Whether you come from the left, the right or so many who claim to be in the centre - it would be interesting if they found what the centre is in the next election - there has to be a set of principles there. I am not talking about pseudo-parties, and I am not talking about so-called collections of independents working together, because there is no accountability for that. If the way that that accountability is going to be happening - and we do not know who is funding those groups, we do not know where their money is coming from, we do not know where allegiances are, then eventually they collapse anyway, halfway through a term sometimes - then what we have is a systemic issue of our political structure and you are not going to solve that with this process. Now, there are other reasons as well why I have been interested in the debate, listening to people talking about, if you like, this seems to be a sort of cure for our lack of political consistency, a cure for the decision-making process which seems to go from pillar to post, but it is not; you are not going to be able to legislate for that. All you can do is consistently approach politics on this Island from a political stance, not feel, or some sort of veneer of political belief, but actual principles that underline what you do. Do you believe in equity, fairness, leaving no one in our society behind or are you OK with the inequalities that we have? They are just the consequence of the rampant free market, and you have got to have losers. Are you OK with where wealth is concentrated in some rather than others? Those are the principles that we need to talk about on this Island because those are the principles that many people would really engage with. This piece of bureaucracy will not do that because, from different sides of the political spectrum, I could write something to cover this and that is fine. That is fine by me, there is my view. It could be disagreed with but there is no accountability for the document. The document itself that will have to be produced, as mentioned before, by civil servants, there is no accountability as to whether you have got that. This is a nod to some form of accountability in our politics that simply is not there at the moment. I would finish by saying, the way forward here is for people to talk to their colleagues that they are going to be elected with, form a genuine political party, register yourself in the court so that

you are accountable, including your finances and who is backing you, and who is paying for your campaigns, and then be honest about your politics as you go out to the electorate. That is the way forward. When we do not do that, no manner of bureaucratic processes or form-filling or box-ticking will solve the problems that we have in our politics. Let us look forward to the next election, that transparency and the openness of our politics.

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

I am not a member of any political party, but I do agree that we all have a duty to future generations and we can all sign up to A, B, C, D and E, but I do not think we should do so. This would be a law, this would be more thick, thick treacle for us to have to go through, and I do not think that is how we should be running our States Assembly. I urge you to vote against this proposition.

**The Bailiff:**

Does any other Member wish to speak on this proposition? I call upon Deputy Wilson to reply.

**3.1.14 Deputy K.M. Wilson:**

To be quite honest, I did not expect as varied and as interesting a debate, so thank you to those who have been engaged with it. There are clearly a couple of points that people wanted addressing in my summing up.

[12:15]

I just thought I would respect that by taking each one of those, if I might, in turn. I think the first thing I just want to say is that, despite the assertions about this being a piece of bureaucracy, yes, it is a law but it is a law that is like no other in the sense that, if adopted, if we choose to go there, would fundamentally address the way in which we go about our governance and also the way in which we account to the public. From what we see based on the information that we are getting from independent audit, is that we are not joined up, we are inconsistent in the way we deliver things and that, just those 2 things are costing Islanders money. It is also costing us in reputation as well because the issues about how Governments make decisions or how Parliaments make decisions is a really important issue to voters. What they want is Governments to be able to balance both short-term and long-term thinking when they are making decisions about things that affect their lives. I do not subscribe to the Chief Minister's view that it is too difficult, and it is bureaucratic. There is not any need for this to be done. Deputy Miles, I thank her for her contribution, and the things that resonated with me in terms of what she was saying was about the fact that we are not consistently using outcomes as a guide to make better decisions. My question is, why not? I do not think anybody has answered that this morning at all. But it is a question that we do need an answer to. I have a view myself, and I think that is because we are completely focused on task and we are focused on process. I do not believe that the current arrangements that we have in place at the moment provide sufficient time or discipline for us to consider and imagine what impact our decisions are having going forward. She also talked about the importance of embedding things, and that is a really important concept in future generations thinking because it is not just about saying what you are going to do, it is about demonstrating how you are doing it and what you are building in terms of your systems to make sure that those things stick. Deputy Tadier also talked about bringing the issues like cost of living into focus. The important point that we are now in a position where we have found ourselves in a crisis and did any of us ever see that coming? Can we be sure that what we were doing 10 years ago was preparing us for this moment? It is an important question. I think that is the other thing that really the future generations thinking law would enable us to do, is to create scenarios that allow us to model and plan in a way that we are not doing at the moment. He asked me about the issues around how we use the human rights impact and the career impact assessments and, to be quite honest, I think, yes, they are seen, in my view, as really important things to do. But I think they could play a part in a wider assessment of what impact we are having in the round, not just in relation to a human rights

perspective or a children's rights perspective but we could start to look at the systems that would take into consideration the more broader impact of the policies that we are making across the whole set of dimensions without adding any further burden around that process. He talked about the tensions between the environmental impact and the economy. I cannot see anywhere at the moment in terms of our plans or our ways of working that we are squaring this, that we are getting the balance that we need. The importance of integration and collaboration and the shared purpose is really important. What I think he has highlighted is that there is a question to be asked about how we design the things that we are trying to put in place. Have we got the right design around our policies and our systems and our structures? The law, if we were to look at it and to start to do some work on it, would help us to design some of the ways in which we become more collaborative, more purposeful, more integrated, and really understands the impact of what we are trying to achieve. Deputy Doublet talked about the benefits that had been received or seen in the approach to the C.R.I.A.. One of the things that I think she talked very much about, again like Deputy Miles, was this importance of embedding something and that what we need to be doing is creating the stepping stones towards getting much better decision-making processes underway. I cannot agree with Deputy Millar; this just is not a process. This is more than that, this is about values, this is about leadership. This is about the way in which a modern government could operate and whether or not we are brave enough to go there and have a look at what we can change. It does make me question that if everything in the garden is rosy, why are we receiving information from the independent audits that tells us that we are carrying huge risks, we are inefficient and that we are not planning effectively for the future? The reason I am trying to engage people in the debate is because it is not true that everything is working well. It is the case that we have got real problems, that we are not lifting our heads up and looking to see whether the ways are that we can tackle this. Deputy Renouf provided some really interesting perspectives on the impact of not working properly as a Government and what that means in terms of people's confidence in politics. I quite like the example that he gave in relation to the person around Brexit and economic growth. I think what he has shown through that example is that he is quite right, we have got to start thinking about what society do we think we need to have in place and what is that going to look like? I think there are some people who do not see parts of society and the issues and the concerns that some Islanders feel, and so they do not have the world view perhaps that maybe a future generation's approach like this would bring. He talked about a big, imaginative and creative response to the situation that we face in relation to Islanders not having faith in Government, not believing that Government is listening to what is important in their lives. I think if we were to engage people in a lawful framework that requires us to talk to them more, to listen to them more. I accept there are ways in which parties will engage their membership, but this is much more about just being a member of a political party. The other comments, if I could pick up on, in relation to Deputy Mézec, I liked his hustings speech; I thought that was quite appropriate, given this is his last moment to speak. I am going to take the word "vibe"; I do think we need to create a new vibe in our politics. I think we need to start getting really excited about what we can do to create a different kind of future for people. That is not only about the way we deliver but it is about the way we lead and the values that we will carry going forward. Deputy Kovacs, I thank her for contribution, she referenced the importance of the F.P.P. (Fiscal Policy Panel) reports. What I think we are struggling with is, what are the tangible solutions to how we deal with some of the pressures and some of the burdens that the F.P.P. have highlighted that we are having to address? I do think that it is insufficient for us to sit down and talk about it and make a commitment. I think the message that has come in loud and clear in this is that we all do that, but we are not demonstrating that we are delivering and doing that and we are not evidencing and we are not seeing the outcomes that tell us that we are. Deputy Stephenson talked about we need a radical way forward, and I agree with her. I think the metaphor of you dress in a good state I think is an important one to do. I feel very responsible, having been here for the last 4 years, I think I have done my best. I think I have tried to do as much as I can within the constraints that I had, as most will probably agree with in relation to their own roles. But I think what we have missed here is a collective responsibility to deliver a kind of result for Islanders

at the end of this term that I would have liked to have seen. For that I think we have missed an opportunity, which I think if we had a law like this it would help and support us. I think I have managed to cover everybody's comments. I am not expecting that the proposition will be wholly supported. Sorry, I meant to mention Deputy Gardiner's and Deputy Feltham's commentary as well, my apologies for that. I think Deputy Gardiner talked about the really important thing about us trying to guard against one department delivering on an outcome at the expense of another, who then has a problem delivering on their outcomes. I think that is a really astute observation about the state of the chaos that ensues when we are not working in an integrative and collaborative way. Deputy Feltham wants to know why I did not bring this proposition earlier; 2 reasons really. I think because a number of people that I had spoken to were a bit hesitant about whether or not a law would be the right way forward. But I spoke to Jane Davidson, who is the architect of the Future Wales Law, and one of the things that she said is: "There is never a right moment to introduce this. It sets a marker for the future. It will get people thinking about what have we done, what have we not done, what could we have done." I hope that having had the debate today this leaves Members with a thought that we cannot carry on the way we are. We do need to change in some ways what we are trying to achieve, so that we can demonstrate that the purpose of our intention and the impact of that intention will endure for longer term and for future generations. I will leave it there and I will call for the *appel*.

**The Bailiff:**

Thank you, Deputy. The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

[12:30]

<b>POUR: 12</b>		<b>CONTRE: 32</b>		<b>ABSTAINED: 0</b>
Connétable of St. Lawrence		Connétable of St. Helier		
Connétable of St. Clement		Connétable of St. Brelade		
Deputy L.M.C Doublet		Connétable of Trinity		
Deputy K.F. Morel		Connétable of St. Peter		
Deputy I. Gardiner		Connétable of St. Martin		
Deputy D.J. Warr		Connétable of St. John		
Deputy H.M. Miles		Connétable of Grouville		
Deputy J. Renouf		Connétable of St. Ouen		
Deputy H. L. Jeune		Connétable of St. Mary		
Deputy K.M. Wilson		Connétable of St. Saviour		
Deputy L.K.F. Stephenson		Deputy C.F. Labey		
Deputy M.B. Andrews		Deputy M. Tadier		
		Deputy S.G. Luce		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy I.J. Gorst		
		Deputy L.J. Farnham		
		Deputy S.Y. Mézec		
		Deputy Sir P.M. Bailhache		
		Deputy B.B. de S.V.M. Porée		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		

	Deputy T.J.A. Binet
	Deputy M.R. Ferey
	Deputy R.S. Kovacs
	Deputy A.F. Curtis
	Deputy B. Ward


**4. Channel Islands Lottery Distribution of Proceeds 2026 (P.58/2026)**

**The Bailiff:**

We now move on to Channel Islands Lottery Distribution of Proceeds 2026, and I ask the Greffier to read the proposition.

**The Greffier of the States:**

The States are asked to decide whether they are of opinion – to agree, in accordance with the provisions of Regulation 4(5) of the Gambling (Channel Islands Lottery) (Jersey) Regulations 1975, to allocate £1,130,000 to the Jersey Community Foundation, the Association of Jersey Charities and Jersey Sport for onward distribution in support of the Island community. The allocation is to be as follows: 50 per cent to the Association of Jersey Charities £565,000 solely for charities; 30 per cent to the Jersey Community Foundation £339,000 to be split between arts, culture and heritage (65 per cent to 75 per cent) and applied science or applied research in the fields of engineering, biology, physics, chemistry or mathematics, provided that the funds are either to be used locally or for the direct benefit to Jersey, including any education from which locals may benefit (25 per cent to 35 per cent); 20 per cent to Jersey Sport £226,000 for sports and active lifestyles.

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

Deputy Malcolm Ferey will be taking this as *rappporteur*, Sir.

**4.1 Deputy M.R. Ferey of St. Saviour (Assistant Minister for Sustainable Economic Development - *rappporteur*):**

I thank Members for agreeing that this proposition is debated using a truncated lodging period, as it will allow us to consider the lottery proceeds before the summer recess and to allow these funds to be distributed as soon as possible, if passed. As Members will be aware, the proposition is brought to the States Assembly every year, as it is the responsibility of the Assembly to approve the distribution of proceeds from the Channel Islands Lottery. I am very happy to report that this year’s total for the distribution is the highest we have seen in half a decade at £1,130,000. Members will be aware that last year this Assembly approved a slight change to on how the proceeds were to be split, to distribute the funds 3 ways between the Association of Jersey Charities, Jersey Community Foundation and Jersey Sport. This was in line with the recommendation of the 2023 Review of Sport and Physical Activity and done with the consent of both the Jersey Community Foundation and Jersey Sport. This replaced the previous 50:50 split between the Association of Jersey Charities and the Jersey Community Foundation, whereby the Jersey Community Foundation allocation was subdivided between arts, culture and heritage, applied sciences or research in sport. This year we are, therefore, proposing to continue with this allocation, with 50 per cent of proceeds going to the Association of Jersey Charities for distribution to local charities, 20 per cent going to Jersey Sport to support local sporting associations, and 30 per cent going to the Jersey Community Foundation. As with previous years, each distributing entity will have a service level agreement with Government to ensure proper oversight and reporting, as well as regular meetings with Ministers and officers. Finally, I would like to recognise the excellent work done by our local charitable sector and by the Association of Jersey Charities and the Jersey Community Foundation. Their work supports a huge range of good causes and makes a much valued impact upon our community. I make the proposition.

**The Bailiff:**

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

**4.1.1 Deputy M. Tadier of St. Brelade:**

I just have some very short comments to make. Our Scrutiny Panel has issued very brief comments on this. We note that this basically mirrors what happened last year in terms of the division of funds, which the *rapporteur* has quite clearly laid out in terms of the split. The Panel is quite happy to support the proposition, based on the fact that it remains the same as last year and that is where the Panel's comments end. If I could just proffer a couple of personal comments to this, I think what we are seeing now, because this is a very formulaic way of things happening, I do question whether this needs to come to the Assembly in future and whether we should look at the way in which the lottery legislation works. Because this is not Government money, this is not taxpayers' money that we are distributing here. This is, effectively, an opt-in lottery scheme where members of the public decide that they want to have a little flutter and they do that on the basis that they may win something. It is not the best way to make money, by the way, if you are doing it purely from a speculative point of view. There are more sure investments, although you do know I think roughly what you are likely to get back in terms of your expectancy when gambling. But, of course, I think they do that in the full knowledge that the profits that are made will be going to good causes in the Island. I think that is part of the reason also that people like to game in this way. But I do not see why Government has got any role to play in this, apart from in the issuing of a licence for a lottery. As I have said, it is not our money. The money which is given is given freely by members of the public, possibly even tourists but generally, I suppose, locals. That is, effectively, a contract really between them and the lottery operators and the beneficiaries are all of these good causes. I would be interested, and maybe the *rapporteur* can comment on that in future. Because we do hear about red tape, we hear about the Assembly streamlining its business and what he thinks the justification is now in 2026. I get there needs to be oversight but that can happen by the Gambling Commission presumably; I think that is one thing that they can still do. They have not been given another job this year that they might have been given. Why Government and this Assembly needs to directly oversee and redistribute these proceeds every year.

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

Just briefly, and I wonder if the Minister knows about this, but Members may recall that Jersey Sport, there was a move to cancel the toddler sessions that were being provided, I think through the Move More scheme. After some discussions between myself and the Chief Minister and others who were advocating for this, there was some funding found but I think it was for 2 years. I am unsure as to whether this funding, which this year went additionally to Jersey Sport, is there anything attached to that and does the Minister know anything about those sessions? Because I know they are of great importance to the children themselves in their early years but certainly to parents.

**The Bailiff:**

Does anyone else wish to speak on this proposition? If no one else wishes to speak, I call upon Deputy Ferey to reply.

**4.1.3 Deputy M.R. Ferey:**

I thank the 2 Members for their contributions. Firstly, in relation to Deputy Tadier, thank you for your comments. I think this is something which has grown up organically, and it is always a good time to see if we can smooth the processes and make them more streamlined. That is something that we will certainly take away and reconsider. In relation to Deputy Doublet's comments, yes, I remember that at the time funding was sought from the pilot fund I believe. That was a short-term stopgap, and we are really keen to ensure that that function continues. Because we understand the value of children of that age being able to access Move More and the toddler facility; it is very much valued. I am sure we will find a way forward to continue funding that. I would just like to say that

having run 2 small charities, I understand the value of this funding. In the big scheme of things, it is not a huge sum of money. There are some bigger charities that could scoop this up quite easily. But particularly smaller charities, they are the ones that benefit most and also particularly charities that are seeking core funding. Because while there are lots of philanthropists who will happily sponsor projects, they are usually not so keen to sponsor core funding in terms of staff salaries because they do not want dependency to form. Both the Jersey Community Foundation and the Association of Jersey Charities are 2 of the few organisations that will sponsor core funding, sometimes up to 3 years, which gives charities a bit of surety and a bit of security for their staff. I hope Members will support this proposition, and I call for the *appel*.

**The Bailiff:**

The *appel* has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting.

<b>POUR: 45</b>	<b>CONTRE: 0</b>	<b>ABSTAINED: 0</b>
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
Connétable of Grouville		
Connétable of St. Ouen		
Connétable of St. Mary		
Connétable of St. Saviour		
Deputy C.F. Labey		
Deputy M. Tadier		
Deputy S.G. Luce		
Deputy L.M.C. Doublet		
Deputy K.F. Morel		
Deputy M.R. Le Hegarat		
Deputy S.M. Ahier		
Deputy R.J. Ward		
Deputy C.S. Alves		
Deputy I. Gardiner		
Deputy I.J. Gorst		
Deputy L.J. Farnham		
Deputy S.Y. Mézec		
Deputy Sir P.M. Bailhache		
Deputy T.A. Coles		
Deputy B.B. de S.V.M. Porée		
Deputy D.J. Warr		
Deputy H.M. Miles		
Deputy J. Renouf		
Deputy C.D. Curtis		
Deputy L.V. Feltham		
Deputy R.E. Binet		
Deputy H.L. Jeune		
Deputy M.E. Millar		
Deputy A. Howell		
Deputy T.J.A. Binet		

Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

## **5. Deferral of Land Transaction: Philip Le Feuvre House and Huguenot House (P.59/2026)**

### **The Bailiff:**

The next item is Deferral of Land Transaction: Philip Le Feuvre House and Huguenot House lodged by Deputy Warr. The main respondent is the Minister for Infrastructure. I ask the Greffier to read the proposition.

### **The Greffier of the States:**

The States are asked to decide whether they are of opinion – to request the Minister for Infrastructure to defer approval of the land transaction agreement, as proposed in R.43/2026 presented to the States on 18th March 2026, pending consideration by the next States Assembly of a feasibility report and cost benefit analysis subsequent to an investigation of alternatives uses of the site (to include the options of using the site to provide open space and public parking).

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

I would like to just start by saying that I do not take lightly the impact of further delay on the sale of this site. Philip Le Feuvre House and Huguenot House have remained empty for far too long. But that period of vacancy could and should have been used to understand the needs of St. Helier and how this site in particular could be optimally developed for the public good. My fear is that of the Connétable of St. Helier, is that we are drifting towards yet more town cramming, rather than recognising the wider utility this site could offer our community. A flog and forget approach to publicly owned, strategically located, assets is surely unacceptable. Once it is gone, it is gone for ever and we will not get another opportunity like this in the heart of our town. The financial return on this site is important - of course it is - but it cannot be the only measure we use, not when we are dealing with a site that unlocks genuine community opportunities, not when we are dealing with a site that could not only serve the economy but also the health, well-being and culture of this Island in ways that private development simply will not deliver. I have already advocated for this site to be used as a temporary school while we refurbish the school estate in St. Helier. That idea received short shrift in this Assembly, but the need has not gone away. I rise today to remind Members that this is our last opportunity to determine how we want this significant site to be used. Once it is sold any investor will, understandably, seek to maximise their return. In the centre of St. Helier that usually means land-banking, followed by more one and 2-bedroom apartments. If you do not believe me look at Les Sablons and the old Apollo Hotel site, is that truly the outcome that meets the needs of our society today or can we do a whole lot better? But there is another dimension to this debate, one that we cannot ignore. I was reminded of this in an email that was sent to me by Simon Ward, a BBC reporter, whose great uncle was Philip Le Feuvre, one of our great visionary politicians. I remind Members that this building carries the name of Senator Philip Le Feuvre, a towering figure in the history of this Island. He was one of the first Senators elected by the people of Jersey and he fought one of the most bruising political battles of the 20th century, to introduce social security.

[12:45]

He faced organised opposition, public hostility and even physical intimidation. He lost his presidency of the Jersey Farmers' Union on the very day the social security scheme came into force. But he

delivered a reform that has supported generations of Islanders and continues to do so today. His name on this building is not decorative, it is not incidental, it is a reminder of the values he stood for; fairness, dignity and the belief that Government should serve the well-being of its people. When we debate the future of Philip Le Feuvre House, we are not simply debating a property transaction, we are deciding whether we treat this site and the legacy attached to it with intention or indifference. This is not simply about a financial balance sheet transaction, this is a community balance sheet matter, balancing the needs of all of our community. If the building is to change, then we must ensure that his contribution is not quietly erased. We must ensure that the site is used in a way that reflects the values he fought for, rather than reduce the narrow logic of short-term financial gain. In that vein, I would like to put forward my own thoughts about a pragmatic solution, what a pragmatic solution looks like. In the first instance, the Infrastructure Department, I suggest, talks to Andium and the Treasurer to raise the £2.5 million to purchase the site. We have already seen the willingness of the Treasurer to reduce the annual return that Andium make to Government over the purchase of a Gas Place site. Why not do the same on this site? I am sure Deputy Mézec, who has been a huge critic of the Andium return over the years, would be only too happy as a town Deputy to support such an approach. Deputy Ward has been a great advocate of pocket parks. Here is a great opportunity to not only provide a much-needed pocket park but also great play facilities. Who knows, we might even end up with an implementable play strategy for the whole of St. Helier? We only have to look at the Parade to see the impact on our community of a well-designed and properly funded play offer. As someone who also recognises that dumping a load of cost onto Government is not a smart thing to do in an era when we need to watch every penny spent, the development of an underground car park on the site would not only generate much needed revenue to pay for the ongoing maintenance of the site but would also massively benefit traders in town, as their customers have easier access to St. Helier; an affordable, sustainable solution that recognises that nothing is free anymore. This is about co-operation, collaboration between Government departments, the Parish and our community, and is something I fervently believe is the way St. Helier will work in the future. Let us grasp this incredible opportunity while we still can. Let us put St. Helier first in such a way that not only benefits her residents and traders but also makes our capital more accessible to all Islanders, rather than continuing with - and to quote Deputy Rob Ward - managed decline. I ask Members to support my proposition.

#### **The Bailiff:**

Is the proposition seconded? **[Seconded]**

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

I am sure, in his words, my favourite Deputy has brought this proposition in good faith. Nevertheless, this is a disappointing proposition, and I ask Members to reject it. It is disappointing because it seeks to delay the sale of an empty States property, something we are repeatedly criticised for. Not that long ago we had a Minister for Housing who would have put a note on our door. It is disappointing because it takes no account of the long and thorough process that both officers and Ministers have been through to reach this stage and the good value we have achieved for the site. It is disappointing because it was lodged without any prior engagement with Ministers, despite an offer for a briefing made. I mentioned last week that I had seen 1,039 people at my drop-ins and that is 1,038, plus the mover of this proposition, so he knows where I am and when he can get hold of me. I do take issue with various aspects of Deputy Warr's report to the proposition. Firstly, I do not accept Deputy Warr's claim that this transaction is being rushed through; that is incorrect. This process began in 2024 when the site was first marketed externally. A sale was not completed on that occasion because after discussions it became clear that the Health Department saw a need to retain the facility known as The Diner, which meant that 38 La Motte Street would need to be withdrawn from sale. I am pleased that the Deputy refers to mental health and the challenges we face. This is exactly the reason for retaining the La Motte Street building, so we can continue to provide and enhance the services

offered to clients there. The siting of La Motte Street being excellent inasmuch as it is in town but not in the heart of town, offering clients a degree of confidentiality. Such an approach where considerations such as this are duly accommodated is hardly rushing things through, and indeed is evidence of a balanced and measured approach. If you speak to my colleague, the Minister for Social Security and the person responsible for the fund that owns the facility, I do not think she would say that this is being rushed; in fact, she would say the opposite. The Minister confirmed on 24th February in answer to a question from Warr: "I have had many conversations with the Minister over the past year", something I am happy to confirm. There are also other considerations and possible options for the future use of the site. The Regeneration Steering Group has taken the time to consider all of those options from a park, a car park, housing and assisted living. There had, inevitably, been several issues and priorities to balance. As we say in the comments paper: "Ministers have had regard to the overall cost and viability of the site. In future, ongoing revenue and maintenance, policy set out in the current Island Plan, delivering value to the Social Security Fund, community well-being, place-making in the public realm, the green space, traffic safety and congestion and the long-term needs of the community." When you look around the Regeneration Steering Group table, St. Helier is well represented with members who understand what St. Helier needs, including the Connétable of St. Helier, who fights for what St. Helier needs, who will also work constructively and practically, recognising what we need to achieve, a balance across the town. As well as delivering more housing, the Government has plans for new and modern youth and educational facilities in town, an improved public realm, more parks and a greener St. Helier. One thing that most people know for certain though is that more delay and more empty properties is exactly what St. Helier does not need. In terms of parking and public parking facilities, which also falls in my brief, I fully support the provision of additional parking on the outskirts of St. Helier. Indeed, we provide a fantastic facility in Charles Street that receives positive feedback from its users. That is why we looked extensively at La Motte Street as a potential car park. We have identified several sites, some in government ownership, some in Parish ownership and private ownership, all offering significantly more spaces than this site and, importantly, much better access and egress. As I have mentioned, the La Motte Street site was seriously considered for parking but ruled out due to the viability of the site, including that access and egress. In terms of people accessing retail and services in town, which the Deputy talks about in his report, I remind the Deputy and Members that we have seen significant increase in ridership of the hopper bus, with ridership numbers now double what they were when we came into office just over 2 years ago. We have also significantly improved the disabled parking offering and work continues in this area. As Infrastructure, I have consistently supported more active travel routes in St. Helier and to and from St. Helier. We have provided more cycle parking, included covered parking, more green space and improved public realm, supporting both our retail and visitor strategies, even in the face of some strong opposition. I do so because I believe this is the long-term best interest of St. Helier and the Island, not just looking at short-term electoral prospects. Members may be interested to note the proposal for a park resulted from an offer of £1 from one party. I am not sure if that is a return which Ministers would have been overly commended for accepting, given the responsibility we also have to the Social Security Fund. It is just a 2 or 3-minute walk from this site in Colomberie to our wonderful Howard Davis Park, a park estimated to have cost between £8 million and £10 million, and then you have to maintain it. Following the detailed deliberations that I have referenced, Philip Le Feuvre House and Huguenot House were marketed again earlier this year. It is worth noting on both occasions the properties were marketed independently by external agencies. Indeed, 2 agencies because a former senior employee of Jersey Property Holdings had moved to work for our original provider and I was concerned at perceptions of any conflict of interest. Having considered the bids received, a recommendation was made and presented through a Standing Order 168 report, as per due process. That is what is required by Standing Orders, a 15-working day notice period. The idea that a process would start in 2024 is one that has been rushed, as we stand here at the end of March 2026, is one that escapes me. It is also worth noting that in terms of value, the highest of the original bids we received for the whole site, including 38 La Motte Street, was £2.9

million, for a site of 4,275 square metres. The bid of £2.3 million for the reduced sites of 2,335 square metres I believe, my officers believe and the independent experienced local agents also agreed was a good deal for the public of the Island. Looking at the prices on a square metre basis, the original bid for the whole site at £678 per square metre for the larger area and the bid we have accepted is £985 per square metre or another way, the square metre price is now some 45 per cent higher; yes, 45 per cent higher than the original site. The original site did have listed areas which would have increased the development costs. I do share the Deputy's concern about town cramming, hence my previous decisions on public realm. It should also be noted that we did receive a higher bid than the one we accepted. The reason for turning that down was it was subject to conditions, including receiving planning permission for 40,000 square foot of residential properties. This was felt to be too much and unrealistic for the site by both officers and the independent agent. Given the conditions attached to the higher bid, the potential receipts may have ended up lower than the £2.3 million had Planning approved a lower square footage of residential accommodation and may not have been realised for a long time. The sum we have accepted should allow sufficient green space to be provided in any scheme that is put forward. As I have said, we have always had a balance in mind. Recent suggestions for the sites, including re-siting the A.L.O.s (arm's length organisations) under one roof. Consolidating our A.L.O.s is something I can get behind, albeit this site is not suitable. Most Members will not know that in 2018, when I was the chair of Jersey Business, I approached Ministers of the day with exactly that suggestion. I firmly believed then, as I do now, that there are efficiencies, not just in property but in finance, H.R. (Human Relations), I.T. (information technology) and marketing. The reality is that the site belongs to a fund, so a commercial rent would have to be paid. There would need to be significant investment and, given the different leases that the A.L.O.s have, it can take many years to get them under one roof. Jubilee Wharf is an example of a States-owned building that we have retained with a view to putting our regulatory bodies under one roof. Easy to say but difficult in practice. Again, they have many leases, but we are making steady progress. The Deputy refers to too many one and 2-bed properties on the market. Market forces will dictate what the developer provides, as there is no point in providing a product to a market that is already saturated. I think what alarms me most about this proposition is the lack of a thought-through alternative. It is simply asking Ministers to repeat a process that we have already been through. There is no clear proposal from Deputy Warr. The Deputy says he wants to find the space to have a discussion around how we optimise the value of this key site in town. This Government has found that space and has had those detailed discussions. The choice now is between delivery and delay. Deputy Warr spoke earlier today about judgment. Throughout my time as Minister for Infrastructure I have tried to get on with things, assess the information available to me, and make a decision based on that information. We heard about Philip Le Feuvre. Social Security has not been changed. In fact, a picture of Philip Le Feuvre hangs in the building in Union Street, and I am sure we could have a conversation with the people who purchase the site to honour that name in the future. We have to go forward, and I would suggest that the Deputy appears to favour delay, I favour delivery and I hope Members will reject the proposition.

## **LUNCHEON ADJOURNMENT PROPOSED**

### **The Bailiff:**

Are Members content to adjourn? Adjourned until 2 o'clock.

[13:01]

## **LUNCHEON ADJOURNMENT**

[14:02]

### **The Bailiff:**

We resume the debate on P.59, Deferral of Land Transaction: Philip Le Feuvre House. Does anyone else wish to speak on the proposition?

### **5.1.2 Deputy A.F. Curtis of St. Clement:**

Just a couple of things to mention on this one. Firstly, I would highlight yet again that the quality of the Standing Order 168, Ministerial Decision, in front of us should have sufficient information. I note that the S.O. 168 we have here does not include any diagrams or maps or pictures, as has been requested previously and has appeared in a couple. It does help Members, and especially on this site, given we know the site was listed as a larger single unit and now it is a subset of what was being listed, that the map does not clearly show what is being sold in that. I will support this, notwithstanding the Minister has asked for us not to. I do want to raise a few facts about the site and the marketing history that it has gone through. As the Minister has said, the site was marketed twice, first with Qu er ee Estates and it included its neighbour, the listed parts to the east of the site. At the time the listing said the following, it said there was 2 sections of sites, the land to the east listed was available for open-market housing but the caveat was that both Philip Le Feuvre House and Huguenot House were going to be required that the onward development would provide 100 per cent affordable housing. To read the exact part from the brochure that marketed this: "Philip Le Feuvre, arranged over basement, ground and 3 upper floors." It goes on to say: "Believed to be of concrete frame. Currently adapted as office accommodation, any onward development of Philip Le Feuvre House must provide 100 per cent affordable housing." When the Minister tells us that the price per square meterage has gone from - I think it was *circa* - £600 to £900, he may not be factoring in whether the terms of sale have changed from offers when marketed by Qu er ee to that marketed by Gaudin. The listing with Gaudin is interesting because it has changed as well. No longer is the western parcel, that of Huguenot and Philip Le Feuvre House, 100 per cent affordable but it does have conditions on it. Those applying to purchase the site may have done so in the consideration of the conditions advertised online, that was: "Freehold interest offered as a single lot, subject to affordable housing development conditions." I will talk about the difference between conditions and the policy framework it is judged under. Members may be thinking that we are releasing this site as some sort of public good; we will get affordable housing, and Members should know we will not. This of course is in stark contrast to what the Budget anticipated this site to be for in 2025 and 2026. In 2025 the Budget considered this public land, and I think it is under "Public land for public good". The site, Huguenot House, Philip Le Feuvre House and 38 La Motte Street, was to be developed with the tenure maximised number of affordable homes, with consideration of some open-market homes. The public value to be delivered would be that of affordable homes, yet some open-market homes will be considered to ensure a suitable return to Social Security Fund, which made the original investment in this property. Of course, 38 La Motte Street was no longer mentioned in the Budget 2026 section "Public land for public good". Huguenot House and Philip Le Feuvre House were. This is a document approved by this Assembly only in December last year. It said: "The tenure of development on this site should be for housing to support the community as either affordable homes or a form of sheltered or supported living, should the site be, ultimately, released for housing." The public value to be delivered in the right-hand part of the table says: "The site is being evaluated by relevant Ministers, to ensure that optimal public value is created through the reuse of this site." But today we have a sale of a site with no restrictions on its sale. I should be clear that I did follow up with the Minister's officers with the following questions following Oral Questions last Tuesday. One element raised was that the Minister did not like the other offer because it proposed, I think, 40,000 square foot of residential development he said today; he wanted a better development. The Minister has stated that: "The decision was to have a carefully considered density, and this influenced the choice of sale." I asked: "Can you confirm there is no condition on the site that delivers or caps density?" Response: "That is correct, there is no condition on the site that delivers or caps density." The Minister's decision to sell it for a purpose is not conditioned. But the big one is that this site is being sold as open-market land. There are no conditions for affordable housing provision within the

contract of sale. I asked: "Can you confirm that the Bridging Island Plan provides no protection to this site under any housing (H) policy?" The response: "I would confirm that there is no requirement for this site to be developed for housing under the Bridging Island Plan if acquired by a private developer." The officer expands and says: "Should a private developer apply for housing, then the requirement for affordable housing is activated through Policy H6, up to a minimum of 15 per cent applicable to residential development of 50 units or more or following advice from the housing unit, if the site is acquired and developed by an arm's length organisation, then the affordable housing requirement is 100 per cent. Both options are of course subject to viability." Really this is to highlight that the sale of what is a significant parcel of land, a significant proportion of one acre of built environment in town is being sold for £2.3 million, less money than we spent to rent our own building, the new Union Street offices, from the Social Security Fund per year. We rent buildings, we were renting Liberte House from its owner for over £530,000 on the same road per year; open figures provided when the freehold of that site was offered for £3.25 million. Despite that and us being a tenant, we did not buy that site. We rent Bermuda House, which we can see is going under renovation at the moment, for hundreds of thousands of pounds. Yet we are selling with no restrictions on land-banking risk, on the provision or the type of development on this site for £2.3 million, what is a valuable asset. Some would say that it will rot if we hold on to it, I say there is no protection to stop it rotting with the new owner at the moment. Those are the points I would make. I have mentioned before I live nearby this site, and I maintain that declaration, on the road, but I am quite far away. But I do think that with sites like this we should not be so quick to move and Members must be equipped with the information. This is an open-market sale, a disposal of land. No security it will be developed, every opportunity it will be land-banked. If Members are voting to see regeneration in this part of St. Helier by a private developer, they have failed yet to secure the means to deliver that.

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

I am really pleased to follow the previous speaker and I am grateful for Deputy Curtis to raising this particular point because it was not part of my speech, but where it is connected to me, and I am looking across the Assembly ... the Members who were here during the Bridging Plan debate 2022, you might remember we had a very massive debate when we decided to take a field out of the affordable housing and field H1219 next to Haute Vallée. We took the field out of the affordable housing for development and immediately there was an amendment brought in and we decided to approve a field for the development for people with severe disabilities. Where we are finding ourselves in another 2 or 3 weeks, we will have a Planning Committee meeting and where we are finding ourselves that now that field, having 59 units proposed, some of them for people with disabilities, some of them for 55-plus, and if they do not sell they will be on the open market in a year and it has no restrictions. I had a *déjà vu* moment where we did not put here in the Assembly a very clear message that this field will be to affordable housing and we decided, no, we want to protect the field; we are not putting in any other shape or form. This proposition in front of us today, it is not about just a property transaction, for me it is about the public assets that we hold. We all know once land is gone, it is gone for good. We cannot get it back. I want to bring to Members a very simple reality, if you look at Google Maps, and I have done it recently, and we looked in that part, what we call central and south St. Helier, that area, if there is anywhere a small brown site where we can put a pocket park, none. Nothing, it is nowhere, unless some building is coming out. Maybe you can put plants, maybe you can keep the trees but there is nowhere in that part of St. Helier is an option to create a small square with 2 or 3 benches and nice greenery for some social place. This is the reality. Another thing that I want to bring to Members' consideration, and maybe some have seen on my social media over the last 4 weeks that I began my drop-in session across all of St. Helier, all districts. I also lodged a survey - a public survey - to ask what people in St. Helier would like. What are their top 3 priorities? What will make St. Helier helpful? I will continue this engagement over the 6 weeks but this morning I looked into the graphs that created the responses that I received. I did

not ask them specifically about this site because the site was not there when I created this survey, but I asked general questions. The top priority that 51 per cent of the respondents picked up one of the 3 top priorities, more green spaces and allotments. No housing, no clearness to agreed spaces and allotments. Allotments, we cannot do that but the green space we might. It was followed up closely by neighbourhood improvements, more leisure spaces and nearly 20 per cent of them specifically called for pocket parks, which is smaller parks. It is not abstract wishes, they are real life priorities of the people we represent - at least I represent - and it does not stop there. When I asked people about what will make a person in St. Helier more welcome, the message was consistent; more market and local activities, more cafés with seating, more community, events and culture life. Again, not housing. It is about creating a town that people enjoy, not just one we built into. For me, Deputy Warr's proposition is not saying do nothing. It is simply asking to stop and properly consider. If it is affordable housing, it will be affordable housing and there needs to be a clear caveat into this. Green spaces, play spaces, community use and, yes, housing. The people did say housing, but it is about the right housing. Proper cost-benefit analysis before the sale.

[14:15]

My parishioners have already told us what they want. That is to be honest. We debated today first-time buyers, Deputy Curtis's proposition again. We have already a high number of one and 2-bedroom units and yet every proposal from the market from 2026 was a lot around these particular flats. Improved housing was in the survey, and I asked about the survey. It was 23.5 per cent up until now with those who responded. It is not just about filling the site with more flats. It is about improving the quality of life. Let us make it really clear that we know that mental health facility stayed on the place. It is important there. They are creating a new very good, interesting place with place for respite, with place to sit down, which will be good for the community. It means the Government does recognise that community has a value beyond housing, and this is why part of the site was developed for the community. Again, the Constable of St. Helier is not here. As the Deputies, we were not asked or involved or presented any plans about this. When I have been asked to come to see The Diner, I did come to see The Diner and I saw the plans and I really liked them. The Parish put in a bid. I am not sure how it worked with the Parish but for me it is not just financial. It is social, environmental and health and, once we sell it, we lose the choice for ever. In summary, this proposition does not block development; it simply asks to pause and make the right decision. In town, there is so little space left, we cannot ignore what residents wish to have, green and social. It is about the balance; balance between financial return and community value between today and the future. It is not delay; it is to decide properly what will be built, including maybe housing. The people of St. Helier told me what they would like, and I will listen. I will be supporting this proposition.

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

I am speaking to oppose the proposition, but not just to oppose the proposition, to call out a pattern - an increasingly troubling pattern - of political distraction, misplaced priorities and failure to deliver on the commitments that improve the lives of people of Jersey and those who live and work in St. Helier. P.59 is the wrong proposition at the wrong moment proposed by a Deputy who consistently wants to stop projects and replace with ideas alone, ideas which when we scratch below the surface have little or no actual detail or deliverables. While the Assembly entertains yet another new initiative, one more shiny object to point at in a press release, the realities on the ground tell a very different story. Our essential public infrastructure is unfinished, delayed or quietly kicked into the long grass. Nothing illustrates this failure more starkly than the stagnation of the Gas Place School Development and ironically the 2 park spaces that accompany this project, a project that the Deputy opposed, then supported and now opposes again and we will see what happens in the next manifesto. When the Deputy sums up, can he now explain if he is in favour of the school and the parks or not? If not, why is he proposing another park? The Deputy seems to want another park while opposing 2

that already exist. This is at best a contradiction and at worst it is something else. Let us finish the term nicely. Gas Place is not a luxury. It is not optional. It is not something we can get to later once we have had our fun passing new propositions. It is a core educational facility that Jersey children desperately need, and its delay is nothing short of unacceptable. We have children learning in outdated, overcrowded, inadequate buildings while we sit here debating entirely new initiatives that will drain time, money and attention away from the projects that are already strategically necessary and publicly supported. How can we look ...

**The Bailiff:**

Deputy Ward, will you accept an intervention from Deputy Warr, a point of clarification?

**Deputy R.J. Ward:**

No, I would like to finish my speech first, if possible.

**The Bailiff:**

Yes, of course.

**Deputy R.J. Ward:**

How can we look parents in the eye and tell them that we focused on their children's futures when we repeatedly prioritise new possible projects instead, perhaps in the name of an election campaign? This site has been considered and is simply inadequate for any school facilities, which was mentioned in the Deputy's opening speech. It will not solve problems of spatial access alone. The Deputy has opposed the projects of the new park space that would arise from the completion of Gas Place, opposed those spaces consistently. I was at a public event set up with 4 speakers against and myself. Even then, there was no coherent idea of why delay did anything positive for St. Helier. There were opportunities at Nelson Street earlier on - the youth facility was also opposed by the Deputy - that were lost when we could have had new facilities, I believe, for the Honorary Police as well. There was a real opportunity missed there which would have cost a lot less and we could have found brand-new facilities for the Honorary Police, but that is in the past. Thankfully, we have a youth facility now being a built, even though the Deputy did vote in a Government Plan to remove money from that and give it to somewhere else. Let us be clear, this proposition simply stops the sale and says: "Let us start work that was already undertaken again." The comments paper details the work that has been undertaken, and I will add, when I walk around the area I do not think I can see a worse place for a car park in that built-up area with the access that it has. I really do not think it is a good place for it. I am not a town planner, but I understand I am not a town planner. The further irony of this sale adding to the Social Security Fund while the Deputy and others were up in arms over removing money from that fund that must not be lost. Every new proposition carries a cost; a cost in funding, staffing, and in our political bandwidth. At a time when we should be laser-focused on completing existing commitments, schools, infrastructure, essential public service, this proposition pulls us in the opposite direction. It adds more bureaucracy, more complexity, more policy sprawl and more unfunded aspirations to a system already struggling to keep up. We are finally, finally, obtaining the land for the school. The battle to obtain that, which has taken so long, will be happening in the coming month or so, and then we can get on with that project. This is another new idea for something we can do with a building if we do not sell it. This Assembly must stop piling these new ideas on to a foundation we have not even finished building. Good governance means we finish what we start, and this proposition fails that test. St. Helier needs joined-up planning and leadership over projects, not constant delay, continuous new ideas with no real outcomes piled up until we have a critical mass of inaction. I will note that I did not vote for Field H19 to be used as it is for exactly the reasons that we have it now. We cannot carry on and say to the public we will make announcements without any form of delivery. They are tired of proposals without progress, tired of new projects being added while old projects gather dust. I am going to say again, because it might

be my final opportunity, Gas Place should be under construction. Instead, we are undertaking political vanity projects, like P.59, to make manifesto headlines but make no difference because there is nothing deliverable behind cancelling this project. It is time to send a message, which is let us finish what we need to in St. Helier, youth facilities, Gas Place, parks at Springfield, parks at Le Bas, and then let us look to see what other spaces and let us look what we have got when we have got those completed. Let us look at what our society is doing in the centre of St. Helier when we have got something completed, because we have not yet. We need to deliver the essentials. Stop being distracted. Finally, we need to finish the youth facility in St. Helier because that is going to make a significant difference to that area for the young people that are there, somewhere to go, somewhere to interact, somewhere to intervene early on. Those projects were not supported quick enough, and we are getting there again with this proposition: "Let us end another project and pile some ideas up that are simply not deliverable." I urge Members to reject P.59 and let us get on with the projects that we desperately need to do for St. Helier.

**The Bailiff:**

Will you accept a point of clarification from Deputy Warr?

**Deputy D.J. Warr:**

I will save it for my speech.

**The Bailiff:**

All right. Thank you very much.

**Deputy R.J. Ward:**

I am happy to clarify.

**The Bailiff:**

No, he does not want to anymore.

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

This debate does seem to be going down some byways. **[Laughter]** I was not minded to support it, but I do think Deputy Alex Curtis has raised some important questions, which I would hope somebody in Government might help to answer for us. This building was originally going to be for affordable housing, and I would like to know is it true that there are going to be no conditions at all placed on its use afterwards? If that is the case, there might be a good reason for that, but we certainly have not had it explained to us. Given that we are supposedly in a housing crisis and given that that housing crisis is largely an affordability crisis, I would have hoped that the Government could explain why that site, which was apparently originally earmarked for affordable housing 100 per cent but then whittled away a bit, and now apparently has no assignment for affordable housing at all, why that is the case and what the thinking process was behind that? Without that, I think we are slightly making a blind decision here about this, and I do think it would be very helpful if the Minister's report had dealt with that issue head-on. But in the absence of that, and my apologies if I have missed something somewhere that did explain this, I think it would be very helpful to have it clearly explained by Government why that original ambition and that string of arguments that Deputy Alex Curtis raised, why we have not had clear answers to those and could we have them please?

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

I also was not going to speak but I think I would like to urge Members to think on what Deputy Alex Curtis mentioned, I suppose mainly even more than the proposer in the arguments that he put forward. It is concerning to hear, for example, from Deputy Rob Ward about ... it is very important that other facilities are put forward but it is strange to have the Government changing from putting this site forward for affordable housing. We are in a cost-of-living crisis. It is the number one point that

Islanders talk about, about access to affordable housing, and this is Government land that could be for affordable housing. It does not need to be one-bedroom flats. We are saying we are overrun by one-bedroom flats. This space could be seen in use in another way but, as Deputy Alex Curtis said, the stark changes from when expecting whoever takes over to develop affordable housing there in whatever form they feel they can, to now one where it is open market and so now any houses, luxury flats, luxury houses could be developed there. We have to remember that. Luxury houses could be developed there. What we are giving away here is Government land where we could control polices and control the way that we can support Islanders with affordable housing. We are now giving away a piece of our land - and our land I mean the Jersey people's land - to developers to develop whatever they want there. I think it is really important for Members to think that. We have heard a lot of rhetoric because of the 3 prospective candidates for Connétable out there. I think we just need to put that to one side and really think very carefully: "Is this what we want to do with the resources that we have at the moment within Government to help to provide affordable housing for Islanders in whatever form that can take?" I just wanted to put on record that when this first came up in the Scrutiny Panel a few years ago, as the Minister mentioned, I thought it was really important to protect the trees that are along La Motte Street and protect the trees that were sitting on the public land. There are 2 very important trees, the Turkey Oak and the Flowering Ash. They are very beautiful going down that street. There are very little trees in that whole area of St. Helier, and they are beautiful specimens. I requested that the Minister for the Environment would protect these trees. He did so.

[14:30]

Unfortunately, the protected tree register in the public domain does not show this, and I hope that we can fix that. But I really also would like to ensure, and I wanted to put it on record for the Minister for Infrastructure to ensure, that any negotiations and whatever the outcome of this particular proposition going forward that these 2 trees that the Minister for the Environment did protect, as I requested, continue to be protected in whatever state and whatever development that comes on this important piece of land in the centre of St. Helier.

#### **5.1.7 Deputy L.V. Feltham of St. Helier Central:**

I think it is important at this point to remind the Assembly that the site currently belongs to the Social Security Fund and not the Government. I gave the Minister clear instruction. The Minister for Infrastructure knows how exasperated - I think would be the term that I could rightly use - about the amount of time that it has taken to sell this site. It has been delayed once because we had to separate it out from the Health site following the initial tendering process. To say I was disappointed about that would be an understatement. It has been delayed again while the Government undertook feasibility studies into possible use of a park, possible use of a car park. That delay, I have lost count about the number of emails and letters I have had to send to the Minister for Infrastructure in my role as Minister for Social Security in looking after the fund and wanting to get the money back into the fund that we need back in it. Of course, it has not been a secret that this site was up for sale. Any Member of this Assembly could have brought a proposition at the Budget to give the Government the amount of money that it would need to purchase the site from the Social Security Fund and give the Government the money it would need to build a park, car park or anything else. But, of course, no Member of this Assembly did that. I have seen the reports that have been undertaken, and let us not forget that what Deputy Warr is asking us to do is repeat a process that has just been done. Repeat a process that has delayed the sale of this site already by a further year. Every delay is costing money. We are paying in the region of £60,000 a year, I think, in rates. We are paying additional money on the site in terms of security on the site. My understanding is the building is not fit for purpose for modern office blocks and could not be retained as such. In fact, I think the most recent inhabitants of the building are rodents who had taken accommodation in the building prior to my department leaving well over a year ago. It is most certainly not a fit-for-purpose site for a temporary school,

and I would not want to be placing our schoolchildren in an unfit-for-purpose building. My understanding is the cost of a possible park, if the Government were to buy the site from the Social Security Fund, it would not just be the cost of the site, but we are talking in the region of over £10 million to develop the site into such a park. If any Member of this Assembly can hand on heart think to themselves: “Yes, that is feasible. Yes, we have got the budget. Yes, we can afford to turn this currently underused site into that and vote for this”, then I really do wish them luck in achieving all of the things that we have already got in the pipeline with regard to capital investments and capital programmes. What the Deputy is suggesting is just not feasible. It is not an efficient or effective use of Government time and money, and it most certainly will not get the money into the Social Security Fund that the fund is due from the sale of this site. I really do hope that we can put this matter to bed, that we can get the sale completed for this site, that at long last we can sell a site that is currently not being used and hopefully it will be developed into a much better facility for the people of the Island. I urge people to reject this proposition. It is going to cause further unnecessary delay, and it is just asking for a repeat of work that has already been undertaken. It is a complete waste of time and money.

**The Bailiff:**

Will you take a point of clarification from Deputy Renouf?

**Deputy L.V. Feltham:**

Yes, Sir.

**Deputy J. Renouf:**

I am grateful. Would the Minister explain with the letters that she wrote to the Minister for Infrastructure, did she mention the question of affordable housing and whether it should be used for affordable housing or not?

**Deputy L.V. Feltham:**

My role, as Minister for Social Security with responsibility for the Social Security Fund, was to ensure that this site was sold on behalf of the fund and that was the instruction that I gave to the Minister for Infrastructure, that I wanted to see the completion of the sale as soon as possible. Matters for what the site is then used for are planning matters and not matters for the Minister for Social Security.

**The Bailiff:**

Does any other Member wish to speak on this proposition? If no one else wishes to speak, I call upon Deputy Warr to reply.

**5.1.8 Deputy D.J. Warr:**

I thank all Members who have taken part in this debate. I would, first of all, like to respond to the Minister for Infrastructure. The Minister, it is always interesting in our interactions, he often talks about playing the ball and not the man. I am sure one day he might live up to his values, but clearly not just yet. The reason this proposition is so late is because the report was lodged so late. I am grateful to the Bailiff for allowing the short lodging of this proposition and for allowing this debate to take place. Thank you, Sir, I appreciate that. I am unaware of being invited to any presentation on this site. We have had Ports present to us; I am talking about the Deputies. We have had Infrastructure Department detailing developments on King Street, Broad Street, developments of Halkett Street, but there has been absolutely nothing on Philip Le Feuvre House. There has been no engagement, in fact, at all with the St. Helier residents. When the Minister talks about St. Helier input into the Regeneration Steering Group, I assume he is referencing the single vote of the Connétable in whose Parish this property sits. It is just interesting that despite it being in his Parish, he has so little sway in the outcome of this issue. St. Helier residents’ biggest demand is for more

parking. We know that. We hear that once a month at least. Deputy Curtis, thank you. Land banking, absolutely. Left to rot, absolutely. If you are voting against this proposition, there is no guarantee that this site will be developed for all the reasons put forward by Deputy Curtis, and I am grateful for him for bringing that. H1219, *déjà vu* moment, Deputy Gardiner, absolutely. It is interesting, is it not, Deputy Ward said he voted against H1219 but I would just like to remind him, because I am being constantly reminded by Deputy Mézec, that they voted for the Bridging Island Plan. In my book, that means he voted for the field. I am sorry, that is fact. Rob Ward also ...

**The Bailiff:**

Deputy Rob Ward.

**Deputy D.J. Warr:**

Deputy Rob Ward. Sorry, Deputy Ward. Sorry, Sir. Deputy Ward also goes on about Gas Place. I love the way he brings up the great big red herring in all of this. Deputy Jeune and Deputy Renouf, abandonment of affordable housing, is this really what we want to do? **[Approbation]** Thank you. Thank you, both of you, for bringing those forward. Deputy Feltham, ducking the issue of the type of homes. A Deputy of St. Helier who is thinking: “What about affordability? Where is the affordability in all of this?” People want more affordable homes and yet suddenly we appear to be abandoning the policy. How would any Member of the Assembly know what the value of the site was by the way? When the Budget debate is brought forward, how do we know? We have only established a value for this site when it has been brought to market. How do we second guess what the Government should budget for that if money was allocated to that site? The Minister struggles to recognise that we are talking about one of the most densely populated parts of Jersey. Every public asset must be evaluated for its ability to increase or protect open space, civic identity and community well-being. The one thing that has not been mentioned in here is the St. Helier Open Space Audit from 2018 which gives us the evidence. Our values give us the direction, and our decisions will give future generations the verdict. We can choose to treat public land as something to be monetised, or we can choose to treat it as something to be stewarded. We can choose to erase meaning or we can choose to preserve and elevate it. We can choose to leave St. Helier more crowded with more concrete and more fragmented, or we can choose to leave it greener, fairer and more humane. Members, I believe the choice is clear. Let us act not as managers of assets but as guardians of legacy. Let us make decisions that honour the past, meets the needs of the present and protect the well-being of the future. With that, I call for the *appel*.

**The Connétable of St. John:**

Sir, can I ask a point of clarification?

**The Bailiff:**

Will you accept a point of clarification from the Minister?

**Deputy D.J. Warr:**

Yes, Sir.

**The Connétable of St. John:**

In terms of the briefing that was offered to the Deputy and his Scrutiny Panel, I believe the email was sent on 18th March.

**Deputy D.J. Warr:**

If that was the case, I apologise if I have overlooked it.

**The Bailiff:**

The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 9</b>		<b>CONTRE: 33</b>		<b>ABSTAINED: 2</b>
Connétable of St. Helier		Connétable of St. Brelade		Deputy J. Renouf
Connétable of St. Lawrence		Connétable of Trinity		Deputy H.L. Jeune
Connétable of St. Clement		Connétable of St. Peter		
Deputy I. Gardiner		Connétable of St. Martin		
Deputy D.J. Warr		Connétable of St. John		
Deputy A.F. Curtis		Connétable of Grouville		
Deputy B. Ward		Connétable of St. Ouen		
Deputy K.M. Wilson		Connétable of St. Mary		
		Connétable of St. Saviour		
		Deputy G.P. Southern		
		Deputy M. Tadier		
		Deputy S.G. Luce		
		Deputy L.M.C. Doublet		
		Deputy K.F. Morel		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy I.J. Gorst		
		Deputy L.J. Farnham		
		Deputy S.Y. Mézec		
		Deputy Sir P.M. Bailhache		
		Deputy T.A. Coles		
		Deputy B.B. de S.V.M. Porée		
		Deputy H.M. Miles		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy L.K.F. Stephenson		

## **6. Continuation of Rural and Marine support (P.54/2026)**

### **The Bailiff:**

The next item is Continuation of Rural and Marine Support ...

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

If I may, Members may have seen I have just lodged an amended amendment, an amendment to my amendment to this proposition. With a view to reaching a consensus, I would like to ask Members for a short notice for it to be discussed today.

### **The Bailiff:**

The proposition is the lodging period should be reduced, is it?

**Deputy M.E. Millar:**

Sorry, reduced lodging period. Yes, Sir. Apologies.

**The Bailiff:**

Yes, under the relevant Standing Order. Have Members seen this amendment? Minister, if you are going to propose this, you probably need to make a speech in support of it explaining the amendment so that Members can understand why it is so late and what it is you are proposing.

**Deputy M.E. Millar:**

You will be aware I was out of Island at the end of last week and not able to take this forward at the time, but we have been considering further, and I am trying to make the amendment basically more acceptable to all States Members. It basically identifies that we will accept the proposition, but it makes it clear that the future Council of Ministers and States Assembly have to agree a funding source and we are removing the reference to availability of funds for the Agricultural Loans Scheme so that takes away that possible question mark about funding for the Agricultural Loans Scheme. It is trying to minimise the debate because it is trying to support the proposition with a relatively smaller amendment to reach more of a consensus.

[14:45]

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

A point of information.

**The Bailiff:**

Yes, will you accept a point of clarification from Deputy Renouf?

**Deputy M.E. Millar:**

Yes, Sir.

**Deputy J. Renouf:**

It might help assist Members make a decision on the shorter lodging period to know if this amended amendment is supported by the proposer of the original proposition. Is she able to shed any light on that?

**Deputy M.E. Millar:**

I am afraid, no, I have not had a chance to speak to Deputy Morel, but I was aware that he did not support the previous amendment, so this is an attempt to move forward at speed.

**The Bailiff:**

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition. Deputy Morel, do you want to speak on the proposition?

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

When the Bailiff looks at you in the way he just looked at me, you know you are meant to speak. **[Laughter]**

**The Bailiff:**

You do not have to.

**Deputy K.F. Morel:**

Sorry, I am more than happy to have this amendment to the amendment brought forward and debated. I have not had full opportunity yet, because it really has just been lodged, to consider whether I could

accept it or not. I am a bit concerned about some of the wording around the £1.1 million for the Better Business Support package still having a lot of uncertainty around it. Not having had proper time to digest it, I was not planning to accept the amendment as amended, but I accept Deputy Millar trying to find a way forward. I just have not had time to properly work through it. In my head, I am more than happy to move to debate with Deputy Millar's amendment as amended, and I am happy for that to be a shortened lodging period. My view was, though, that we would probably still have to debate the amendment and the proposition separately because I just have not had time to really properly think it through.

**The Bailiff:**

Deputy Renouf, do you want to speak now?

**Deputy J. Renouf:**

Yes, it was just to say that in case people were confused by that point of information, I am grateful to the Minister for clarifying his position and, in my view, since I think the intent of what the Minister is proposing, I think I am happy to accept a shorter lodging period.

**The Bailiff:**

Does any other Member wish to speak on this proposition to reduce the lodging period at this late stage? In that case, I invite the Minister to reply. Minister.

**Deputy M.E. Millar:**

I am grateful for Deputy Morel being understanding and I am grateful to everybody who has worked at pace to try to get this amendment ready today. I have to confess; I thought this was going to be the last item of business so that Members might have a little bit of time but that is clearly my misunderstanding. I would like to ask Members to support the late lodging. It is a relatively minor change with a view to taking this forward today and allowing us to conclude today.

**The Bailiff:**

Thank you, Minister. Is the *appel* called for? The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting on this proposition to reduce the lodging period in relation to the amendment lodged by the Minister to the proposition of Deputy Morel.

<b>POUR: 43</b>	<b>CONTRE: 0</b>	<b>ABSTAINED: 1</b>
Connétable of St. Lawrence		Deputy A.F. Curtis
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
Connétable of Grouville		
Connétable of St. Ouen		
Connétable of St. Mary		
Connétable of St. Saviour		
Deputy G.P. Southern		
Deputy C.F. Labey		
Deputy M. Tadier		
Deputy S.G. Luce		
Deputy L.M.C. Doublet		
Deputy K.F. Morel		
Deputy M.R. Le Hegarat		
Deputy S.M. Ahier		

Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

**The Bailiff:**

Deputy, you are not minded to accept the amendment, are you?

**Deputy K.F. Morel:**

No, Sir.

**The Bailiff:**

No. I invite the Greffier to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion – to refer to their Act dated 7th November 2023, in which they approved the proposition entitled “Increase in revenue expenditure for agriculture and fisheries” (P.74/2023), as amended, and to agree that the Council of Ministers should ensure the current level of financial support for Rural and Marine sectors in 2026, including both the Agricultural Loans Scheme and Better Business Support funding allocated directly to Rural and Marine, continues in perpetuity and increases in line with R.P.I.(X.) each year until this proposition is rescinded by the States Assembly.

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

Before Deputy Morel starts, may I just check on a declaration of interest with you that I think has been mentioned?

**The Bailiff:**

Yes.

**Deputy A.F. Curtis:**

My business either qualifies already or will qualify by the end of 2026 for the receipt of the Rural Support Scheme and therefore certainly by, obviously, the end of the budgetary period and the next term will be in receipt or eligible for the Rural Support Scheme. Therefore, it is an interest that I need to declare. I presume it would be a direct pecuniary one and the question would be as to the number of businesses and organisations it is shared with. The Minister may have an idea as to the idea on the Rural Support Scheme that would help direct you in a ruling.

**The Bailiff:**

The effect of this proposition will be to ensure that that scheme, among others, continues to receive funding increasing with R.P.I. going forward.

**Deputy A.F. Curtis:**

The reading I would have of that would be this proposition aims to secure a level of funding that may not exist and that level of funding would almost directly correspond to how much a business in receipt of said funding would receive, my business being one of those.

**The Bailiff:**

Yes, so you do stand to directly, personally benefit. Yes. I do not know if anyone can assist on the number of likely applicants from time to time.

**Deputy K.F. Morel:**

If I may, Sir, yes, there are approximately just over 100 businesses on the Rural Support Scheme.

**The Bailiff:**

Yes. I know the guidance I issued some months ago speaks about 100 being, if you like, the magic number for the purpose of identifying what is a small number of other people but in the circumstances, I think the best course would be for you not to vote in this debate.

**Deputy A.F. Curtis:**

I thank you for your ruling, Sir.

**Deputy K.F. Morel:**

It is teatime for Deputy Curtis, I think.

**The Bailiff:**

Yes.

**6.1 Deputy K.F. Morel:**

As I stand to rise at what may be for any of us, or all of us in here, one of the last propositions that we debate in the Assembly, I want to first of all start by thanking Members for their support of the Agricultural Loans Law, which we debated last week. It is with that in mind the idea that we have started something and now we need to finish it before this Assembly is over. That is where my proposition comes from. This Assembly can be proud of having played the key role in saving the agricultural industry in Jersey. When we were elected in 2022, the agricultural sector and the marine sector were in a parlous state in terms of, quite simply, the revenues coming in and the costs involved in agriculture itself. This proposition aims to finish the job that this Assembly started back in 2022 and 2023 by creating the Rural Support Scheme, funding the Rural Support Scheme and quite simply saving the agricultural industry in Jersey. But how does my proposition finish that job? The purpose of the proposition is to provide certainty to the industry. That certainty will enable long-term planning. It will enable succession. It will enable capital investment decisions to be made. It will enable continued competition with neighbouring countries, all of which benefit from huge subsidy schemes from their various governments. It will ensure that only a States Assembly decision will

result in the reduction or the removal of the Rural Support Scheme in the future. That is a very important point. One of the driving forces behind this proposition is, in my mind, we must not let a future Government hide the reduction of the Rural Support Scheme or the removal of the Rural Support Scheme away in the footnotes to a budget. What I am saying is that in future, if a future Government wishes to reduce the support for the agricultural and marine sectors, that Government will have to come to the Assembly to get that permission and it will be with the permission of the Assembly that that could happen. This proposition empowers the States Assembly in a way that it has not been empowered previously. Farmers and fishermen cannot continue to operate in such a state of uncertainty. Without them, we lose what ability Jersey does have to feed itself entirely. Without the knowledge of ongoing support beyond the 3 years from now, which is currently covered in the Budget 2026-2029, agricultural and marine businesses will not be able to plan to make investments or succession plans that would ensure they are able to succeed into the future. That is an incredibly difficult task given the world of ever-increasing costs that we currently live in. It is vital therefore that support rises with inflation and that the minimum wage support of £1.1 million is baked into that because wages will only rise, so to remove it would immediately put the industry at risk. In terms of the proposition and the amendments, that £1.1 million minimum wage support is what is referred to as the Better Business Support scheme. It is not grants *per se*. It is £1.1 million that is directly there to cope with the significant rise in the minimum wage from the last 2 years. As well as the minimum wage rising, with regard to rising costs, let us have a look at the issues of the day. The war in Iran is having an immediate impact. The Jersey Farmers' Union has informed us that farm diesel has risen from 50.65 pence per litre in January of this year to 100.2 pence per litre today. That is an almost 100 per cent rise in the cost of farm diesel within 2 months. Fertiliser prices are equally rising sharply. Urea, a key component of fertilisers, has increased approximately 80 per cent since the beginning of this year. I started by stating that this Assembly can be incredibly proud of its success in supporting and saving the agricultural sector, but the job has not yet been completed. This proposition finishes that task. It stops us snatching defeat from the jaws of victory. It is the only way to provide farmers with the certainty that they need in a deeply uncertain world. The proposition gives us the best chance we could have of saving the fishing and agricultural sectors as well. Those sectors face enormous challenges that require Government help if we are to maintain a marine economy. By providing support, which is given in a public money for public goods basis, we are helping the Island to feed itself, reducing reliance of food imports. Local food, as we know, has enormous health and environmental benefits. We are maintaining the Island's fabulous landscape which brings benefits for tourism and all Islanders' well-being. Even the very value of Islanders' homes is affected by the agricultural sector and, if it was not there, I think you would see many of those homes diminish in value. We are stimulating returns to Treasury with this proposition because *via* Income Tax, G.V.A. (gross value added) and G.S.T. (goods and services tax), agricultural support enables a clear profit to the public purse, and I think that is really, really important. The agricultural sector provides a net profit to the Government's coffers itself, so the support is a profitable investment by this Assembly. We are also hoping to continue the ambassadorial role of our agricultural sector. The value of the Jersey cow and the Jersey Royal cannot be underestimated, particularly at a time when both the dairy and potato farmers are taking these high-quality products into new markets. We have milk products going to the Far East. We have Jersey Royals going to European markets. These are things that we should be enormously proud of. But as well as the outcomes from the support provided by the Rural Support Scheme, we should be proud of the scheme itself. It is being recognised as an exemplar in both the U.K. (United Kingdom) and Europe of how farming can be supported to provide environmental, health and well-being benefits as well as other public goods. I have a quote here from Patrick Holden C.B.E. (Commander of the Order of the British Empire) of the Sustainable Food Trust who visited Jersey last year for the Regen Gathering festival. He says: "I was amazed and inspired by what is happening here. There is a story here that is touching people, the combination of rewarding small scale regenerative farming that delivers climate, environmental and social benefits. In all regions of the U.K., they have made a mess of agricultural policy, whereas

here it is radically different. It is interesting that somehow small islands can lead because of their very smallness. Jersey could lead the world in this. You could be world beating.” It is that Rural Support Scheme that really is world leading and world beating that I am asking the Assembly to lock tight in a sense of providing the Assembly with the power to determine whether it continues or not in the future. In case some Members were wondering what the Rural Support Scheme does, let me just outline some of its outcomes over the past year or so. The number of registered businesses on the Rural Support Scheme grew from 36 in 2021 to over 100 in 2025. That is because we have enabled smallholders, such as Deputy Alex Curtis, to benefit from that. One of the reasons for enabling smallholders is that helps with succession because it has brought new farmers into the industry, because young people can now for the first time see a way of making a living in farming. It also provides the opportunity for innovation because the innovations that they do on their smallholdings can, when successful, be passed on to the commercial farmers.

[15:00]

As well, the amount of farmland managed by the L.E.A.F. (Linking Environment and Farming) scheme has increased from 23,750 vergées in 2019 to 26,357 vergées in 2024. That is an 11 per cent rise. The amount of farmland managed with organic certification increased from 878 vergées in 2019 to 1,571 vergées in 2024. That is a 78 per cent increase in the amount of land being farmed organically. The amount of land used to grow food crops for local consumption increased from 588 vergées in 2022 to 945 in 2024. That is a 63 per cent increase in the amount of land being used in Jersey for local food consumption. The number of workers in the scheme in those businesses benefiting from the scheme increased from 746 in 2023 to 831 in 2024, showing the need to maintain that minimum wage support. The 2025 Rural Support Scheme also supported 169 open farm educational events, over 7 kilometres of footpaths on private land, 133 wildlife ponds, around 2,000 kilometres of managed hedgerows, 356 vergées of crops grown purely for conservational purposes, over 10,000 vergées of cover crops grown to improve soil health and over 700 integrated farm management plans promoting animal health, nutrient management, water quality, soil health, conservation and landscape, energy and carbon efficiencies, woodland management and health and safety. That shows, in my mind, that the Rural Support Scheme is delivering plenty of public benefits for the public money that has been provided to it and it will continue to operate on that same public money for public good to the public benefit basis. There is no question in my mind that it would be an outstanding way for this Assembly to end its term of office by supporting the Rural Support Scheme being prolonged into the future and ensuring that it is only this Assembly which can reduce that investment, because that investment is going to help save the Island through uncertain times and will make us a stronger Island for it.

**The Bailiff:**

Is the proposition seconded? **[Seconded]**

## **6.2 Continuation of Rural and Marine support (P.54/2026): amendment (P.54/2026 Amd.) - as amended (P.54/2026 Amd.Amd.)**

**The Bailiff:**

Minister for Treasury and Resources, you have proposed an amendment. Do you wish to take your amendment as amended?

**Deputy M.E. Millar:**

As amended, yes please, Sir.

**The Bailiff:**

Are Members content for the amendment to be read as amended? Thank you very much. The Greffier will read the amendment as amended.

**The Deputy Greffier of the States:**

Page 2 – Substitute the words “including both the Agricultural Loans Scheme and Better Business Support funding” with “subject to the Council of Ministers identifying and States Assembly agreeing, a recurring funding source for the Better Business Support funding.” After the words “rescinded by the States Assembly.” insert the words “; and that the Agricultural Loans Scheme should continue, with the determination of further capitalisation based on the demand for loans.”

**6.2.1 Deputy M.E. Millar (The Minister for Treasury and Resources):**

I am grateful to Members for agreeing for this amended amendment to be taken at short notice and to everyone who helped produce it in time. This further amendment aims to find some way to proceed to achieve the objective that I am sure we all support, which is to provide strong backing for Jersey’s rural and marine sectors. There is no disagreement about the importance of these sectors. Agriculture and fisheries are essential to our economy, our culture, our environment and our fiscal security. They are also under pressure from rising costs, workforce challenges and the transition to a living wage. The Government has already acted to provide financial support with the budget for agriculture and fisheries having increased from £3.7 million in 2023 to £7.3 million in 2026. The budget has almost doubled in the space of 3 years. Through the Budget 2026-2029, we have committed to inflation-linked uplifts to support schemes with a budget expected to reach £8 million by 2029. That is £8 million per year, sorry. We have also set aside £10 million to recapitalise the Agricultural Loans Fund, and a considerable volume of loans have already been made from that fund in the last year. We provided temporary living wage support in 2025 and 2026 and introduced practical measures such as relief from higher Vehicle Emissions Duty for agricultural machinery. These are real, tangible interventions. The question today is not whether we support these sectors but how we do so in a fiscally responsible manner. The proposition, as it stands, seeks to guarantee an additional £1.1 million of funding indefinitely, increasing each year with R.P.I.(X.) (retail price index excluding mortgage interest) unless rescinded. While well-intentioned, this does create budget issues, and we all know how difficult it is to rescind a proposition such as this. First, this turns temporary support into permanent spending. I would like to emphasise, contrary to some of the emails and material we have seen, that this is not cutting expenditure. The Better Business Support funding package was provided to assist with the transition to a living wage and was always clearly intended to be time limited to 2025 and 2026, helping all businesses to adjust and not to create ongoing dependency. Making this support permanent changes its purpose entirely and prefers one sector of the economy over others. Second, the proposition does not identify how this permanent commitment would be funded. Currently, the transitional support is financed through a temporary reduction in the States grant to the Social Security Fund. It is not the first time I have said this, I am sure, but Treasury advice is for long-term funding commitments and decisions to be made through the established budget process. This allows Ministers and the Assembly to balance competing strategic priorities across public services, to evaluate fiscal pressures, to allocate resources in a transparent and accountable manner and ensure medium and long-term financial sustainability of public finances. The proposition proposes additional spending outside of the budget process without identifying how this will be funded. If approved by the States Assembly, this will place an obligation on the next Council of Ministers to propose how this will be funded and for the Assembly to agree in the next Budget, and that is what my amendment really clarifies. Funding options could include a permanent reduction to the States grant to the Social Security Fund, which is the current source of funding, or an increase in departmental savings targets which presently stand at £29 million for 2027. Alternatively, other departments may see cuts to their budgets. The Agricultural Loans Fund has now been capitalised with £10 million. It will be for the next Council of Ministers to agree to the funding of and further transfers to the fund. This will need to be weighed against competing

priorities, such as a depleted Consolidated Fund, depleted Stabilisation Fund and a Strategic Reserve, which is below the recommended target level. We all want to support these vital sectors, but we must do so in a way that is financially prudent, delivers value for money and is sustainable for Islanders. This amendment clarifies that we are leaving those decisions for the next Council of Ministers and the next Assembly. While we all support funding for agriculture and fishing, there is so much more we could do than just give them funding. There is more we could be doing as an Assembly than give them money, and I think the juxtaposition of this with the future generations, if you do mind me putting it in shorthand, is quite interesting. There are lots of ways we could do. We could stop creating new red tape in bureaucracy, like requiring them to accept cash, because now when they deliver their potatoes to a local hospitality business, that business will say: "I want to pay you £300 in used tenners", and they will have to accept. That is extra bureaucracy and cost. We could consider the needs of employers when we next increase the living wage. The living wage has increased, I think, from roughly £10.50 in 2022 and it will be going up to £13.69, I believe, on Wednesday. That is some £3 since 2022 and we all want - we all want - people who work in this Island to be remunerated well but we do have to think about the knock-on issues for our businesses and the Island. We could perhaps make it easier for them to recruit staff from overseas. We could take the friction out of employment. We could facilitate the export of produce and its sale in local shops. We could all just buy more local produce. It is not just about subsidy. For me, it is about creating solutions in which farming can thrive. Perhaps the future Minister could sit down with the sectors and consider a similar piece of work that we have just done under Deputy Gorst's leadership for financial services because many sectors of our economy need that clear view on what our problems are and how we fix them. I propose the amendment as amended.

**The Bailiff:**

Is the amendment seconded? **[Seconded]**

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

Would the Minister give way for a point of clarification?

**The Bailiff:**

Will you?

**Deputy M.E. Millar:**

Yes, Sir.

**The Bailiff:**

Yes, Deputy.

**Deputy M. Tadier:**

Does the Minister think that my proposition, P.48, which said that people should have a right to expect to pay for goods and services for in-person purchases for goods and services would apply to the delivery of ...

**The Bailiff:**

I am not sure this is a point of clarification, is it?

**Deputy M. Tadier:**

I think it is, Sir, because the Minister was talking about reducing red tape in other ways which meant that now farmers would have to receive used £10 notes for payments but I ... is that the case?

**The Bailiff:**

Do you want to respond to that?

**Deputy M.E. Millar:**

I think my understanding of the Deputy's proposition is that if you are receiving in-person goods and services in Jersey, you are entitled to pay for cash. What that means will be that there will be hospitality businesses, perhaps other food producers, who will be having to accept cash from their customers. That means a heavy, large bag of cash at the end of the night. They could take it to the bank and suffer the cost or when their supplier turns up in person with a delivery of local fruit and veg and potatoes, they could say: "I want to pay for cash." I think that is an obvious reading. I do not believe it said in-person meaning just individuals. I think it means every business is required to accept cash and, yes, I believe that will extend to the scallop fisherman who is selling his scallops at Bonne Nuit or Bouley Bay; sorry I cannot remember where I last got them. It will include all of those small businesses who are selling their goods and services in the Island. They will have to take cash, and I think that will work on a business-to-business basis as well. We must be aware of the consequences of our decisions. That is my point.

**The Bailiff:**

Deputy Morel, you wish to speak.

**6.2.2 Deputy K.F. Morel:**

I thank the Minister for her amendments and her speech. There are just a few things I wanted to pick up on there. First of all, the Minister - and I understand why she says this - says my proposition creates budget issues. It just brought to mind that the minimum wage increase, which is about 30 per cent higher than inflation that the Government imposed, has created budget issues for all farmers and fishermen in the Island. Their budget issues in that area, as far as minimum wage is concerned, were created directly by Government. The Minister also referred to ongoing dependency. I have got to say, yes, there is going to be an ongoing dependency, and this is really the point of my proposition. There is no way around the need to provide support to the agricultural and the fishery sectors. There is no alternative to that. Let me just tell you, for instance - and it is interesting how it has waxed and waned over the years - historically, direct support to agriculture and fisheries in Jersey was as high as 5 per cent of total Government expenditure. In 2025, that had fallen to about 0.4 per cent, but 0.4 per cent is a win because in 2018 we provided less than £1 million of support to the rural and marine ... well, it was just the rural sector then. Less than £1 million and the industry was absolutely on its knees. It really could not see a way forward and it is only because we have turned that tide, and as I said, it is only because this Assembly has turned that tide that we can now say that at 0.4 per cent of Government expenditure, we are about in the right place, and the industry can see a future. Why will the industry always need that support? It is because the industry is directly competing with French farmers who get massive support through the Common Agricultural Policy in the E.U. (European Union), with U.K. farmers who get massive support. They have £2.5 billion of support per year for the next 2 years from the U.K. Government. They are competing with Dutch farmers, Belgian farmers, Italian, Spanish farmers, all of whom gain massive financial support.

[15:15]

Yet, come 2018, we had condemned our industry that does not have any scale on the size of its farms. I think we all know that because we look at farms in Jersey and we look at their size versus a farm in Cambridgeshire, for instance, and you can see there is a massive size difference. Our farmers have zero ability to get scale benefits from their farms, and we were providing them with, effectively, no financial support. The industry was next to the end; it really was that simple. There is an ongoing dependency. There will be an ongoing dependency, and it is because of that need for that ongoing dependency that I have brought forward my proposition, because there is no chance that that dependency isn't going to be needed. I agree with the Minister when she says we should be buying more local produce. There are other ways to help, absolutely. But at the end of the day, the bottom line is where the help is needed most, because farming and fishing are such enormously capital-

intensive industries. The fact that we now have 60 new farmers in the industry who can become the commercial farmers of the future has turned the tide and means that the industry has a future. I think it is really important as well, I was slightly concerned, and this is more of a personal issue, the Minister also mentioned that we need strategies, as the Minister for Financial Services has done for his industry, in other sectors. It seemed to me that the Minister for Treasury and Resources was ignoring the work of my department for the last 4 years in creating rural and marine strategies, creating a visitor economy strategy, and creating an arts culture and heritage strategy, all of which are their own versions of the financial competitiveness survey. It is possible that the Minister should not listen to the Chief Executive as much because he suggested that there were no other strategies, and that was really wrong. It is my understanding that he suggested that there were no other strategies, and that is wrong, because we have strategies. In fact, the financial services sector was elated for the competitiveness style strategies, but I congratulate the Minister for Financial Services on creating it. The reason, as I said, that I had not accepted the amended amendment was because I had not really had time to think it through. My concern with the amended amendment, and it is up to the wisdom of the Assembly on this, is it says: "So as far as the financial support for Rural and Marine sectors in 2026, subject to the Council of Ministers identifying, and States Assembly agreeing, a recurring funding source for the Better Business Support funding." That is the £1.1 million for the minimum wage support. In my mind, that looks to me as though something where the Council of Ministers could just say: "We cannot find it, sorry, it is not happening." That was the reason why I felt that I could not really accept it. On the other hand, the second part that was amended: "The agricultural loan scheme should continue with the determination of further capitalisation based on the demand for loans" and removing: "and the availability of funds." I am much happier with that part of it. There is no question of that bit. Really my concern is around that bit about the subject of the Council of Ministers identifying, States Assembly agreeing, a recurring funding source. In my mind, it is not quite where I would want it to be, and because farmers and fishermen, they have to pay the £13.50, and it will rise again in April this year and it will get higher and higher. They have to pay that minimum wage, and they do need that extra support. It really is simple. But I do leave it to the wisdom of the Assembly as to whether they wish to accept the Minister's amendment. It is, I have to say, in a better position than the original amendment that the Minister put, but I still think it really is up to the Assembly to determine which way it would prefer to go.

### **6.2.3 Deputy M. Tadier:**

I rise to support the underlying proposition here, and on consideration to speak against the amendment. I think Deputy Morel's proposal here - and I accept that also he said that he has been working with other colleagues in the Assembly, other Ministerial colleagues as it happens, but I think he has got more wide support than just that - recognises something fundamental here, is that when you invest in the economy, and when you invest in both individuals and businesses who are doing some great work, in this case as custodians of our countryside and also of our coastal areas, we are not just doing something for the immediate future and an immediate economic gain, but we are investing in the future, which has been a theme already that we are talking about today. But it does more than that, it gives confidence to those industries that Government has not just got its back and is willing to play its part now, and subject to the waves and the turbulence of whatever economic winds that might be blowing, but that Government support is here for the long term. That irrespective of who is getting elected in a few weeks' time, in a few months' time, and in fact which governments might come and go in between, or after those periods, that this scheme has been set in place and it will only be changed if there has been a democratic vote of this Assembly. I do have some experience of this. It is not exactly the same, but there are some very strong parallels here with what I have sought to do, and which subsequent Assemblies and majorities of Members have supported in the past through arts and culture and heritage funding. What I have seen from experience in that sector, because it is not just immediately those arm's length bodies that benefit, it is the wider creative

industries, is that it does give confidence and a boost very much to that sector. It has meant in that sector that people can go out and that they can invest with confidence, but they can invest their time and energy, not just their money, knowing that what they are doing has strong support both from within Government, from within the Assembly, and from the wider community, and it leads to innovation. I think that is what it will do in the agricultural and fishing sectors. It will send that message, carry on doing what you are doing, being great custodians. Of course, innovating because you have to in business, you can never stand still. By doing that, I think we are sending a strong message that we will be here to support the industries. Remember, these are industries which elsewhere do benefit from massive subsidies. I think Government have recognised that. They do need to put in. As has been said, there is an economic multiplier, both in the wider economy, but also in real terms for return to Government. I do have to say, I will be pleased to catch up with the Minister for Treasury and Resources on a more personal level, because I know she has been doing some very important governmental work and Assembly work in Paris. I was invited to that too, but I thought it was more important for me to, because I had 2 important propositions last Friday, present those. But I am glad that the Minister was able to attend that and represent the Assembly last week. She missed 2 great debates though, I think. In fact, 2 kinds of interlinked debates. I think they were both about the economy. One was about making sure that agricultural land is used for agriculture, not for electricity. We might have been on different sides of that debate. There was also the cash debate, which I know the Minister has alluded to, and I think she might have been sorry to miss either or both of those debates. The latter was supported by a strong majority; only 8 against. I find the comments quite strange about somebody turning up with 300 used tenners to pay for some goods and services in a farming context, as if that might be viewed in a bad way. I would suspect that a farmer or a scallop diver, when you are buying the goods off them, or they are paying for deliveries, which may also be the case, I do not think anyone is going to quibble about whether you pay for your £300 worth of goods and services in old £10 notes, so long as they are still legal tender and they can be cashed in at the bank, or passed on to pay your bills, or whether you send that through a B.A.C.S. (Bankers' Automated Clearing Services), because I am sure a lot of invoices will routinely be paid from bank account to bank account without any charges, in fact, and that is probably a great way to pay. Are we going to see in future coffee shops taking payment via B.A.C.S.? Because that is one way to make sure you avoid potentially any kind of charges, whether it is for cash or for cards. It is a brave new world and maybe, indeed, like the advert we sometimes see on television, I am not sure quite which one it is. Maybe it is: "Sorry, mate, crypto only." That might be a way that the farming industry in Jersey will be going with their honesty boxes in the hedgerow. But it is an exciting new world, and so long as they are being paid one way or the other, I think it makes little difference. I am quite happy, and I would urge Deputy Morel ... we do not always find ourselves on the same side of every debate, but I do know that his heart is for the people of Jersey, it is also for the economy of Jersey, and he wants to see a thriving, vibrant economy throughout the Island. I would urge him to robustly oppose this amendment and stick to his guns, because I think what he has got in front of him provides certainty into the future. If things change, if there is a sudden uptick in the economy and farmers and fishers find that they do not need any Government support, or they need less Government support, or that living wage is no longer a problem because it has either become established, or we are all working for nothing because we are doing it out of the kindness of our heart, then maybe they will not need that support. But until such a time, I think that is part of the contract. As somebody who strongly supports the living wage, and I think it is the right thing to do because everybody who lives in Jersey deserves to be paid a fair amount for a fair amount of work. The second part of that social contract is for us to make sure that there are supports for the traditionally low-paid economic sectors so that they can afford to pay the wages. If that takes place in the form of a loan or a grant, then I am quite comfortable that is they both are good. An honest use of taxpayers' money, which will find its way back into the wider economy. It is literate and sensible economics and politics, and I am happy to support that. I will not be supporting the amendment.

#### 6.2.4 Deputy J. Renouf:

I am going to refer to this as Deputy Morel's proposition rather than the Minister's proposition, because I think one of the most amusing things we have seen over the course of this week's debate is the disintegration of a Government. What we now have are various blue-on-blue kind of propositions and amendments and so on. But nevertheless, that does not mean to say either the proposition or the amendment are without merit. Deputy Morel's proposition, I think the intent of which not a single person in this Assembly would argue with. Of course, we want to see that greater support for the marine and rural sectors of the economy. It was indeed a very good piece of work brought forward originally by Deputy Luce and supported subsequently by pretty well everyone going forward. I do not think this is an argument about that. We are all in support of that, and I think we would all like the support to continue. There is also no doubt about that. But there is another principle at stake, and it is quite a slightly smaller principle than I thought it was, because Deputy Millar's amendment concedes more ground to Deputy Morel's original proposition, as I read it. The amended amendment, if you like, gives even more ground to the original proposition. But nevertheless, there is an important principle there, and I think it is worth just reminding ourselves what the amended proposition would say if the amendment passes, because I would really like to know what people would find objectionable about this proposition were the amendment to pass. What is it that is so hard to support about this? We will see. But let me just read it. I will miss out the preamble, which is not controversial: "To agree that the Council of Ministers should ensure the current level of financial support for Rural and Marine sectors in 2026, subject to the Council of Ministers identifying, and States Assembly agreeing, a recurring funding source for the Better Business Support funding allocated directly to Rural and Marine continues in perpetuity and increases in line with the R.P.I. each year until this proposition is rescinded by the States Assembly." The loans bit I have not read, because I think we are all in agreement with that. That is not controversial either. That is what the amended proposition would say. Now, I find that exceptionally hard to vote against. That seems to me to capture all the main intent of what Deputy Morel is asking for, but with one small qualifier in there, which is that, you know what, there should be a funding source for it; and that is surely where this Assembly should be. There is a history to this, because when that funding was originally brought in, it was intended to be transitory, a 2-year funding package to deal with the introduction of the living wage. It was advertised as that. It was transitory. Therefore, the funding source was also transitory in the sense that we all know that the Government's last Budget had £100 million of funding that depends upon a £50 million grant, for example, from the Social Security Grant.

[15:30]

In 99 per cent of readings of the situation, that is very unlikely to be a long-term sustainable source of funding. It is perfectly reasonable for a proposition about rural and marine funding to say: "Look, we really have got to square off where the money is going to come from." We all want the same thing. We all want that to happen. But really, we should not, as an Assembly, be just saying: "We will commit to this in perpetuity" without that. That amendment just puts that little qualifier in there: "While accepting that so long as that can be done, it does continue in perpetuity." Deputy Morel said that the purpose was to provide certainty, I think, or it may be in the report. There have been speeches that mention the need to provide certainty. That is a laudable aim, but it does preserve a bit of an illusion, because I have to say that this Assembly cannot deliver certainty. We do not have the ability to deliver certainty because we do not know what is coming around the corner. We do not know what kind of extreme events might come around the corner, and so on. I do think we have to be a little bit careful about this notion of certainty. All that the amendment does is put that little qualifier in to say: "You know what, there might be circumstances in which this is not possible." I always think when these propositions come before us, and the interesting thing is always what is not in front of us in a way, because, of course, it is possible to make a brilliant case for the support for the rural and marine economy. I would want to make it myself as well. As I say, I do not think that is what

is at stake. But the implicit decisions we take if we say we will fund this no matter what, if we say we will support this no matter what, is certain other things will not get that support, because they have not been the benefit of a proposition that comes to this Assembly that says that in the future there will be in perpetuity support. Some of those things are quite interesting, are they not? Deputy Morel is also in charge of the digital economy. He has not chosen to ring-fence and protect in perpetuity funding for digital. The States Assembly also voted for a reformed Jersey-inspired policy around childcare support. Again, we are not ring-fencing that in perpetuity, although we might. It is a perfectly good cause. It is certainly one that I would probably want to get behind, is supporting childcare. I certainly voted for it. But that is not getting the gold standard for ever in perpetuity. Sitting beside me, we have a proposer of a proposition around fertility. That is also, as far as I know, not in perpetuity. It does not have that gold standard in perpetuity around it. I am sure other Members could think of lots of other things that we could all make a case for, were we to bring the proposition.

**The Bailiff:**

Deputy, we are inquorate because the ...

**Deputy J. Renouf:**

Second time in this sitting.

**The Bailiff:**

Yes. I do not know what it is.

**Deputy J. Renouf:**

I am taking it personally.

**The Bailiff:**

Well, you really should not. I think we are all right again now. Thank you very much. Please continue.

**Deputy J. Renouf:**

Phew. I think there are plenty of worthwhile causes that could attract this and would be equally deserving were we to sit down and consider them in isolation. I would say to Deputy Morel, just be a little careful what you wish for, because I do think that this proposition does raise a very interesting question about taxation. Post-election, this Island will end up having a debate about the balance between taxation and spending. There will be calls in that debate for taxation to be looked at, as well as the spending element. It is noticeable that at the moment, these sectors are not taxed on their profits. Deputy Morel highlighted that they do indeed contribute profits. It becomes very hard once you become a long-term recipient of government funding, I think, to say that you should not pay some tax. Certainly, the case strengthens for that. I certainly thought that when we handed out about £150 million in COVID support during the pandemic, it certainly emphasised that businesses are dependent on the State as a backstop. Yet many of them do not pay tax. I do think that in becoming permanent recipients of government funding, that question will be raised, and maybe it should. But it is certainly a point worth noting because we have moved explicitly from a position where we were saying that we were providing support to cover a transition to the living wage to, as Deputy Morel now says very clearly, permanent. This will be for good, and in perpetuity is indeed the whole point. The next Government will face exceptionally difficult decisions around spending. It has £100 million, in round figures, overhang of spending that is not covered long term. What we are picking out is one thing for support beyond that. Even with the amendment, we are saying it is first among equals. It is protected under the amendment. The only qualifier is if there is not an ability to find the money. That seems to me to be an important signal that we send to this Island about prudence in finance, in Government spending, that we do not just sign away money without knowing the full picture. So, as I say, I return to the amendment to the proposition and the actual wording of it, and I

find it eminently supportable. That we should ensure the current level of financial support, subject to the Council of Ministers and the States Assembly agreeing a funding source, and that it should carry on in perpetuity and increase in line with the R.P.I. every year unless it is rescinded by the Assembly, as was originally said by the original proposition. So, I shall be supporting the amendment.

#### **6.2.5 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:**

I had been going to be undecided whether I was going to start in my comments referring to Deputy Morel or Deputy Tadier, but I have just added Deputy Renouf to that list, and now he is leaving the room, but there we are. I was not sure whether I was going to talk about how B.A.C.S. payments work, and the possibility of instant payments on the blockchain. As the Deputy knows, B.A.C.S. payments are not instant, depending on the banking institutions. So, that deals with his comment. Deputy Renouf reminded us again about the payments that were made during COVID-19, but slightly incorrectly, because the payments were made to businesses for wage support. They were not made so that businesses could keep trading, because businesses were told by the Government to stop trading, and therefore if they were stopping trading, they would not have any income to pay salaries. So, the funding was to provide salary payments so that Islanders could continue to live even though they were not going into work, not the other way around. It is not that businesses were dependent upon the State, it was that the State decided that the right thing to do was to provide salary support to Islanders through businesses, because that was the easiest payment mechanism, in order that they could survive the restrictions placed upon them by the State. I return to Deputy Morel, and Deputy Morel had to make some really quite difficult decisions during this parliamentary term, and even though he has been making those difficult long-term decisions, back to the question about future generations, he has been quietly getting on with the parts of the economy that he is responsible for and bringing out strategies, supporting them, arguing for extra money in the budget. I think he should be congratulated for that and not chastised in the way that some have done. He, like I and others, have been extremely cautious about the increases to the living wage for the very reason that it would have a detrimental impact upon certain sectors of the economy. Therefore, I know for him it is no surprise that we stand here today with this proposal before us, because he, together with other Ministerial colleagues, persuaded the Council of Ministers that the only way we could support any introduction or increase in the minimum wage or living wage was by putting money aside to support businesses with their productivity, with their marketing, and with their growth strategies, and, so, he has done. We get to the point of, yes, he has argued the case for additional money *per se* for farming and fishing, and those were the amounts that the Minister for Treasury and Resources outlined. He, together with his colleague here to my left, argued the case for refinancing the Agricultural Loans Fund, and so that has been done as well. Those gentlemen in the gallery will know that we have still got quite a lot of work to do around the bureaucracy of that thing in order to get money out of the door to impact farmers' real lives. But we have been left, let us be honest, with this £1.1 million problem because nobody is proposing that the living wage does not apply to farming and fishing. But there is a conversation to be had, in my mind, that if the living wage is only working because taxpayers - and I am going to come back to that - are directly subsidising it for certain sectors of the economy, it is not working. It is not working, and we will need to rethink about that and how we do it going forward. I am in no doubt whatsoever that the farming and agricultural community need this additional money. What worries me is that there are plans, and I think it is in April, that the living wage is going to go up further. So, we are going to have a decision today, which is going to be positive, and I will come back to process of the £1.1 million. But the living wage is still proposed to go higher, and I worry that the effect of that will be to diminish the good work that the Minister has been doing. So, we do need to work through some of that. The other point I want to make is that out of that £20 million, £10 million a year in 2025 and 2026, a good couple of million, I think, was going to Visit Jersey and to route development. That will fall away at the end of 2026 as well. To my mind, that is also short-termism. The reason I say that is because if we look at the amount of money

that we allocate right across the economic portfolios of Government, and we think that we are spending £1.2 billion, and yet in the stimulation of the growth of that money coming in, we are spending - and I have looked at my colleague here, because I know how much it spent in my bit - let us say we are spending less than £30 million. We are spending less than £30 million to stimulate the economy, to grow the income line so that we can provide all of those social services to our community that we know we need. By any calculation, it is not enough if we are seriously wanting to create an economically growing situation, if we are wanting Islanders to see more money in their pockets to help with the cost of living, if we want to have flexibility to bring forward cost-of-living measures, we are not spending enough. That is also the case for farming and fishing. Why farming and fishing? Of course, because they help us with our resilience. But there are some difficult questions that we also, as Islanders, need to face about how we are supporting that industry in their resilience with our buying habits.

[15:45]

Others have talked about cheap food. It does not feel like food is cheap when one goes and does one's weekly shopping. But in historic levels, then that is absolutely the case. So, for my part, we come down to another debate about process, because can any proposition in this Assembly outside of the Budget process bind the Budget process? The reality is, it cannot, because every Council of Ministers and every Assembly has an annual debate about budget. We can bring propositions here until we are blue in the face. The reality is that the Budget process is the process whereby money is allocated. I say that because - back to this £1.1 million - that £1.1 million for the last 2 years has been delivered by a reduction in supplementation. We have said: "We are not going to put that money into the Social Security Fund, rather we are going to use it to spend on minimum or living wage supplementation to farming and fishing." If this proposition was that we reduce supplementation indefinitely, I do not think any Member would agree to that, and therefore it is about process. This proposition, I have got to say, amended or unamended, will still mean that the future States in the back end of this year will need to make a decision about the allocation of this money and where it is funded from. That is why I support the work. I know he has lodged this as a backbencher, that the Minister has done supporting these sectors. I absolutely accept that it is a process issue and it will have to be decided during the Budget process. But whatever happens today, there will be a very clear marker from this Assembly to the next Assembly that farming and fishing needs this money and that the next Government will need to continue to support them.

**Deputy K.F. Morel:**

Sir, a point of clarification.

**The Bailiff:**

Will you accept a point of clarification, Deputy?

**Deputy I.J. Gorst:**

Of course, I will.

**Deputy K.F. Morel:**

It is with regard to the statistics about Government expenditure on the economy. Would the Minister clarify from his speech, does he understand it is correct that Jersey spent in 2024 a lower percentage of Government expenditure on economic affairs than any O.E.C.D. nation in 2023? Could he clarify whether he thinks that is correct?

**Deputy I.J. Gorst:**

He is absolutely correct, and he makes my point more eloquently than I did.

**The Bailiff:**

Does anyone else wish to speak on this amendment?

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

Before coming to Jersey, I worked as a project manager and consultant on programmes with European Union grants, many of them focused on agriculture and rural development. This project had some of the highest uptake rates and successes because the need is real and the impact is tangible, no matter of jurisdiction. My master's degree is in agribusiness, which combines economics and business management with rural development. So, I have both the academic understanding and the practical experience to know one thing clearly: without consistent long-term funding, this sector simply cannot thrive, especially on an island environment. On a small island like Jersey, this matters even more. Supporting agriculture in combination with other sectors can strengthen our economy even further if we are imaginatively driven enough. At the Digital Jersey briefing the other week, we saw how digitalising parts of agricultural activities increase productivity for businesses. We talk about enhancing tourism, about being proud of Jersey's heritage and traditions, and promoting them at every opportunity. Agritourism is a perfect example that could be considered as investing in it benefits all these agriculture heritage promotion and tourism, creating a wider positive impact for our economy. When we talk about continuing to fund and support farmers and fisheries, we are not always just talking about food. We are talking about broader economic growth, innovation, and opportunity for all of Jersey. Our land is limited. Our production is not mass scale. Our food security is fragile, with around 90 per cent of food imported. That alone should tell us how important it is to support and grow what we can produce locally. Continuity of funding is not a luxury, it is essential. I have also seen the importance of this sector through education. I created a partnership project between Hautlieu School and the high school in Cluj-Napoca, my hometown in Romania, called From Field to Plate. And this will continue with further partnership projects already in plan. Students visited Jersey and Romania, including my former university, learning first-hand where food comes from, with what efforts, how important it is, and why this industry matters, because this is not just about farmers. It is about future generations, understanding value, sustainability and resilience, and instilling in them an awareness of the value this industry brings to our day-to-day lives. As the main proposal highlights, this is not only about agriculture; it is equally about our fisheries. We are an island. The sea is part of who we are. Our fishing industry is not just economic, it is cultural. It is what allows us to serve fresh, local seafood, something we proudly showcase in our hospitality sector, as ourselves into our restaurant business. It is part of the Jersey experience. If we want to keep that, the quality, the freshness, the identity, we must support the people who make it possible. While I recognise the intention behind the latest amendment to the initial Minister for Treasury and Resource's amendment to ensure a clear and recurring funding source, it does introduce a level of uncertainty that concerns me. This sector does not operate on short-term cycles. It relies on confidence planning and long-term investment. Making support conditional on future budget decisions risks undermining the stability. If we truly want our rural and marine sectors to grow and thrive, we must give them the certainty they need, not just the possibility of support. The main proposition is about certainty. It is about giving farmers and fishers the confidence to invest, to plan, to innovate. The amendment is not. Without that certainty, decline is inevitable. We have already seen the numbers, fewer farms, fewer herds, fewer boats. Even if the funding source is decided later, we must commit now to long-term support for this vital sector to have continuity. If we do nothing, we are not standing still, we are going backwards. This is not about subsidy for the sake of it. This is about investing in food security, in sustainability, in our economy, and in our identity. My passion for this sector is clear. My support is clear. If we want this industry to exist, not just survive, but grow and reach its full potential, then the support must continue. Otherwise, we risk watching it slowly disappear. That is why it is important to reject the amendment and support the main proposition, and I ask Members to do so.

**6.2.7 Deputy S.G. Luce of Grouville and St. Martin:**

Can I start by giving my 100 per cent wholehearted support to the proposer of this. My name appears on the report, as Members, I am sure will have seen, but I am just grateful to be able to support him. We stand side by side in this matter. So, hearing speeches like Deputy Tadier's, Deputy Kovacs's are really welcome. This is a proposition about farming and fishing. I would just say to Members that we have an opportunity here to do, again, what we did 3 years ago now, which was to reinvigorate, revitalise the farming industry, and the fishing industry as well, and I will come on to that right at the end. The debate we had back in 2023 allowed existing farmers to see a future. It allowed youngsters who were contemplating whether they could come into the industry, it allowed them to see a vision, to see the horizon, to see that there was a future for them in these most traditional of Jersey industries. That original money that we put aside then helped to deliver public goods. It was not just a handout to farmers, because the Rural Support Scheme, the Rural Marine Scheme does not just give money to people to rush off on holiday or buy a new car. It is given in return for public goods. In the first instances, it is given for help with the cost of certification. For farmers, that might be the Red Tractor scheme or the L.E.A.F. scheme that the Minister, Deputy Morel, mentioned. It could be for help with training. It could be for the development, any number of plans that we ask farmers to do these days. Chemical plans for where you are putting it, and how often you are putting it on. Manure plans for how much you are putting in fields and making sure you are not putting too much to not do any good to the natural water courses and make it difficult for Jersey Water. To health and safety plans, all things which benefit the farmer, but cost money. All these schemes, all this training, all these certificates cost farmers and fishermen money. Fishermen have to keep up a number of things on their fishing boats every year, as you would expect, extinguishers and trackers and things like that, but they too have to do first aid so that they are in a position to help their crew, help each other out, and all those sort of things cost money so the scheme helps with that. Then it goes on to help the biodiversity of the Island. So, paying for hedge work, more hedges, or field margins to be left alone for increasing biodiversity. Less cultivation, less chemicals, more nature. Then finally, there is money for investment, and we have heard about the benefits that productivity can have, and particularly in the dairy industry in the last few years, the amount of technology and innovation that has gone in there to help dairy farmers do a better job on a day-to-day basis, because as we all know they work around the clock, and anything they can do to find time to save time allows them to go off and do another job, because there is never a shortage of jobs to do. It is not as if you find 5 minutes and you sit down and have a cup of coffee. Anyway, we did all those good things, Members, and it was really fantastic because the level of interest, the level of enthusiasm in the industry, just bubbled out of it. Those of us that witnessed it, it was really something to see. Then what did we do? We imposed 2 minimum wage increases in the 2 years following. That is fine, and we have done it, and we realise we have done it. But that basically just chopped £1.1 million off that money that we had just given to the industries to try to get them going again. Why is it particularly relevant to farming and fishing? It is because such a high percentage of the employees on a farm are paid the minimum wage. A big minimum wage increase has a huge effect on farmers. We knew that it would be a 2-year package, and as the Minister for Treasury and Resources, as everybody said, we knew that. The Minister for Treasury and Resources said it was temporary, and we understood that. We had put some money into the Business Support Scheme. But those of us who supported the industry could see the cliff edge coming. It has been coming for 2 years, and it is about to appear. While we are not taking money that has been put permanently, taking it away. What we are doing is if we do not replace it, if we do not keep it consistent, the industries will see that money disappear, and it will make a huge amount of difference because it is vital money. We gave with one hand, and we took quite a bit away with the other. I want to talk about productivity because, yes, that £1.1 million was aimed to try to get people to be more productive, to make sure that the minimum wage did not have that much of an effect. But what I would say to Members is, in the years previous to 2023, times had been so hard. Every last corner had been cut. Every last little bit of productivity had been taken. The farmers and the fishermen had looked for every chance they could to find ways to do things more cheaply, and the ability to suddenly revitalise productivity was not quite there.

Members will have seen the communications from the Farmers Union and from the Jersey Fishermen's Association, and today we have also had communications from the Jersey Hospitality Association. I think that is relevant, particularly because the last part of my very scribbled speech here, I put down "the next States". If I am fortunate enough to be re-elected, I will certainly be campaigning the next States Assembly to move, to divert, to just slightly change direction with these monies, to concentrate more on local food production for local consumption. Because when you look around the globe, that is where we have got to focus. But I come back to Members and say local food production for local consumption is expensive. It involves manual labour.

[16:00]

You cannot go out there and dig 40 or 50 tonnes of potatoes; you have got to go out and do a small amount. You have got to do a number of crates of cauliflowers, a number of crates of leeks or carrots. It is not mass production. You do not enjoy the economies of scale growing for local production for Jersey consumption. That is where this money could be diverted ever so slightly. I say to Members, I see the maintenance of all these monies as vital for helping with food security in the years to come. It is important. This word "certainty" was mentioned by Deputy Renouf; that we cannot be certain. We need to be showing farmers that we are as certain as we possibly can be that this money continues because there is nothing worse than uncertainty, nothing worse to destroy your enthusiasm for a job knowing that in 12 months' time your monies could be chopped off. I go back to the start where I mentioned farming and fishing. I am just going to spend a couple of seconds talking about fishing, because while we have helped the fishermen, while we are helping them with all those schemes they need to do, and helping them with productivity and stuff, I would stress fishing in particular is really challenged at the moment. Our exports to Europe are challenged. The amount of money our fishermen can get for their catch is challenged. Then on top of that, the effects of global warming, or climate change, are having a devastating effect on crab, which has moved away from our waters; from lobster, which is also looking at signs of reducing in the catch numbers. It is particularly tough. They can have all the productivity measures they like - fishermen at the moment - but the actual stock in the sea is not where we would wish it to be, despite our best management efforts. So, another good reason. I say to Members, I can understand where this amendment is coming from. The Minister for Treasury and Resources has a very difficult job to do, and committing monies upfront to particular industries is always a challenge, but this is one worth supporting. If we are going to keep our farming and fishing in good spirits, and in a place where it can help feed us into the next decade or so, I urge Members to support the proposition from the Minister, but to vote against this particular amendment.

**The Bailiff:**

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

**6.2.8 Deputy M.E. Millar:**

First, I apologise unreservedly to Deputy Morel if I overlooked his various strategies. I am sorry. I probably was aware of them and forgot, so I do apologise, and no disrespect was intended. Beyond that, I think I am probably not going to go over everybody's contributions. I am aware of the time, and I am sure we all want to get on. I think it is very clear we all want to support farming and fishing. Of course that is what we want. In my amendment, let us just look at the 2 parts of it. The latter part about the agricultural loan scheme, I think Deputy Morel is broadly happy with that. It makes sense. We are just saying the scheme will continue, but what that is saying is that we will not sit there with a pot of millions of pounds being unused, but it will be funded to do with demand. It will link to demand and that funding will be found as required. As regards the first part, subject to the Council of Ministers identifies it is still agreeing, I will be blunt; it is a statement of the obvious. But it is a statement of fact. There is no way around that. Whether or not you accept the amendment or not, if you accept the proposition, the next Council of Ministers will have to find a funding source, and the next Assembly will have to agree it. The amendment is simply a point of emphasis and clarification.

I agree with virtually everything Deputy Gorst said. As I said earlier on, increases to the living wage do hit some sectors much worse than others, and we need to start being aware of that. We have the living wage, I think it is £13.69 on 1st April. It is going up again on 1st April, and that will have an impact on farming, as it will have on hospitality and retail. We do need to think about that going forward. I do not believe this amendment creates any uncertainty, because the uncertainty is built into the proposition. We do not have a funding source, and that funding source will have to be found one way or the other. Clearly, the next Government would have to do that. If I could come back to the question of certainty again. I think I mentioned last week about everybody wants financial certainty, charities want multiyear funding. If you are going to vote for certainty for charities and for farming, then I hope that if we are here, you do all vote for multiyear budgeting for the Government because that is the only way we can guarantee that level of certainty for charities and 3-yearly funding packages for farming and other sectors. I propose the amendment and call for the *appel*.

**The Bailiff:**

The *appel* has been called for. Members are invited to return to their seats, and I ask the Greffier to open the voting on the amendment.

<b>POUR: 18</b>		<b>CONTRE: 22</b>		<b>ABSTAINED: 0</b>
Connétable of St. Lawrence		Connétable of St. Brelade		
Connétable of St. Peter		Connétable of Trinity		
Deputy G.P. Southern		Connétable of St. Martin		
Deputy S.M. Ahier		Connétable of St. John		
Deputy C.S. Alves		Connétable of St. Clement		
Deputy L.J. Farnham		Connétable of Grouville		
Deputy S.Y. Mézec		Connétable of St. Ouen		
Deputy Sir P.M. Bailhache		Connétable of St. Saviour		
Deputy T.A. Coles		Deputy C.F. Labey		
Deputy D.J. Warr		Deputy M. Tadier		
Deputy J. Renouf		Deputy S.G. Luce		
Deputy C.D. Curtis		Deputy L.M.C. Doublet		
Deputy L.V. Feltham		Deputy K.F. Morel		
Deputy H.L. Jeune		Deputy M.R. Le Hegarat		
Deputy M.E. Millar		Deputy R.J. Ward		
Deputy M.R. Ferey		Deputy I. Gardiner		
Deputy B. Ward		Deputy H.M. Miles		
Deputy L.K.F. Stephenson		Deputy R.E. Binet		
		Deputy A. Howell		
		Deputy R.S. Kovacs		
		Deputy K.M. Wilson		
		Deputy M.B. Andrews		

**6.3 Continuation of Rural and Marine support (P.54/2026) - resumption**

**The Bailiff:**

We now move back to the proposition. Does anyone else want to speak on the proposition?

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

I wanted to re-emphasise a point the Minister for Treasury and Resources made in her previous speech, and I think Deputy Gorst referred to it, and I think Deputy Morel, and other Members would agree that the future Assembly will decide in the budgeting process what happens. It is always difficult to take something out. We have, and it is often challenging to maintain formula set grants.

The arts grant, I think, has performed well for the arts, but as situations change then it forces the Assembly to have a debate. I generally support that position when there are mixed views among the Council of Ministers, we fall back on the democratic process of the Assembly. But I just wanted to say, although I supported the amendment, as Deputy Millar said in her speech, it is largely academic on the grounds that future Assemblies can change course, and I will be supporting the proposition.

### 6.3.2 Connétable M.K. Jackson of St. Brelade:

Just briefly to emphasise the points both in agriculture and fisheries, the important matter is that those involved have the confidence to invest in the industry to take it forward. Without that confidence, they do fall away. We have seen that to a large extent with the fishing industry. I would be supporting the proposition, and I am pleased to do so to give that confidence.

#### The Bailiff:

Does anyone else wish to speak on the proposition? If no one else wishes to speak, I call upon Deputy Morel to reply.

### 6.3.3 Deputy K.F. Morel:

I thank everyone who spoke in the amendment debate, because that is where the main debate has happened. I will not hold anyone up other than to thank the Minister for Treasury and Resources for engaging with this. I thank the Assembly for making that decision. I was kind of easy either way. But I just will not say any more, except to say that if we pass this now, it really will be the Assembly completing the work it started when we first sat in 2022. We will be providing a future and a certainty around that future for the farming and the marine economy sectors, and no matter what happens to us personally in elections, this is something we can all be really proud of. I am delighted if we pass this now that we can all speak to every farmer and fisherman and know that we played a role in making sure that their future, and Jersey's future with that agriculture and marine kind of background foundation, remains in place. We can all leave with our heads held high if we pass this now.

#### The Bailiff:

Is the *appel* called for? The *appel* has been called for. Members are invited to return to their seats, and I ask the Greffier to open the voting.

<b>POUR: 43</b>		<b>CONTRE: 0</b>		<b>ABSTAINED: 0</b>
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				

Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

## **7. Work Permit Changes (P.57/2026) - as amended (P.57/2026)**

### **The Bailiff:**

I will move on to Work Permit Changes lodged by Deputy Porée. The respondent is the Minister for Social Security. Deputy Porée, you have lodged an amendment. Do you wish your proposition to be proposed as amended?

### **Deputy B.B. de S.V.M. Porée of St. Helier South:**

Yes.

### **The Bailiff:**

Are Members content to take the proposition as amended? Thank you very much. I ask the Greffier to read the proposition as amended.

### **The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion – to request the Minister for Justice and Home Affairs to (a) commission and publish an independent review of the current work permit policy, such review to include an assessment of the feasibility, implications, and potential benefits and risks of changing the registration process for work permits so that they are held in the name of an employee and not the employer, while maintaining the existing restrictions on migrant workers regarding work permit category and length of stay. Such review to be completed and published by June 2027, with any necessary legislative or policy changes presented to the States Assembly by December 2027; (b) undertake an examination of the Employer Pays Principle (as set out by the International Labour Organization) and produce a roadmap for implementation of the principle in the Island by June 2027, ensuring that recruitment fees and related costs for the employment of migrant workers are not collected from the workers themselves, either directly or indirectly.

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

Today I would like to bring to your attention an issue that sits at the centre of our economical needs, our workforce strategy and our responsibility to uphold fairness and dignity in the workplace. Migrant workers, they are the cogs that keep the wheels turning. Without workers, the great majority of businesses in the Island would fold. Let us not be under any misunderstanding, the Island needs migrant workers, and we should be grateful to have them here, helping with our economical sustainability. But Jersey also needs a functioning, fair system that supports workforce stability and long-term competitiveness. I would like to make it clear that this proposition is not anti-businesses, it is about sustainability. A fair system where good employers can operate within should also be a system where bad employers cannot exploit. Seasonal migrant workers are in the forefront of my proposition. They play a vital role in supporting our industries, particularly agriculture, hospitality, and small businesses that rely on short-term labour. They really keep us going. They do the jobs that most residents would not do, and many live and work in conditions that most of us would not accept in this day and age, and rightfully so. They come and work each season until we tell them to leave for a short while, before allowing them back again, if they are lucky. They do not demand for anything; they get their heads down and they work. They pay their contributions and they keep their heads down. They are afraid to complain when their needs are not met because the consequences of doing so could cost them their job and affect the rest of their lives. I am almost sure that 90 per cent of us would not be prepared to work for years on end in a different country where most of the time you cannot spend time with your family or loved ones, where everything you know and are accustomed to is different, where you are only too aware that you do not belong, but still you must return because the country where you come from, without fault of your own, does not provide for a decent quality of life for you and for your family. It is hard.

[16:15]

I know that because I have done it twice. Migrant workers come here to try and better their lives, but that does not mean that they should be open to abuse and left without care and protection, the same care and protection that all other workers in the Island benefit from. Even though they are invited here to work and they come with skills and qualifications in their many areas of employment, they still do not benefit from the same workers' rights as all workers in Jersey. Jersey needs the support of migrant workers. They are our lifeline that keeps on giving. Yet, under our current work permit policy, there exists a significant imbalance of power between the employer and the seasonal worker. This imbalance of power can, and in many times does, expose workers to conditions that are harmful to their well-being, dignity, and autonomy. The imbalance of power, which is determined by our present work permit policy, is described under the modern-day slavery as conditions that promote and consent for employers' behaviours that keep workers in positions of vulnerability, dependency, and lack of free will. Following the 2 recent high-profile cases that lift the lid on the precariousness and lack of protection migrant workers are exposed to, I have been relieved and happy to finally hear our Chief Minister's announcement that the Government intends to introduce a dedicated modern-day slavery definition in Jersey. I have had a meeting recently with the Chief Minister regarding this announcement and have been reassured that Government officers are already in line to start the work. If I am correct in saying, the modern-day slavery definition should be part of the policy by the end of 2026. This is a much-needed step forward to properly address the many issues workers are having in their workplaces. My proposition aims to directly deal with the power imbalance between employer and employee. The proposition calls for changes that ensure that any sort of servitude and debt bondage unintended consequences are removed from our work permit policy. Jersey workforce landscape is much different now than it was before the U.K. cancelled its membership with the European Union. In the past few years, Jersey has been struggling to keep its population here due to many factors. Some of our migrant European workforce have also left, and currently we have a deficit of homegrown labour. As well as losing out on accessing workers from European countries and from countries where cultural values and physical attributions are more aligned to Island people, Jersey now has taken a different route and is inviting workers over from African countries, the

Caribbean Islands, and the Philippines to support us with our seasonal industries. It is worth to mention that Jersey's G.D.P. *per capita* significantly exceeds the G.D.P. *per capita* of countries such as Kenya, Rwanda, Ghana, Caribbean Islands, and the Philippines, and many other emerging countries that Jersey is currently recruiting workforce from. This is an important point, because when workers come to Jersey to start a job, they are already so much further behind financially compared to the great majority of Jersey residents. For Jersey to have continuity of competitiveness in our many industry areas, it needs the continuous support and influx of migrant workers. To encourage the best workers we can, to come over and provide the Island with the much-needed support for our economical sustainability, Jersey needs to bring forward in equal measures a policy that supports local businesses, but it also provides protection to migrant workers, protection that focus on their welfare and their well-being. It is about bringing forward a better-balanced policy that supports both employees and employers. We currently do not have such measured policies. To strengthen migrant workers' protections through the work permit policy, it is not only a moral responsibility, but it is the right thing to do. It reflects the Island's commitment to treating all workers with dignity and respect. This is a fundamental human rights principle. But I cannot speak only on behalf of workers. I do acknowledge the genuine concern of local businesses. This is not about taking away from businesses. I run a small business, and so does my husband and my son. I know first-hand that many employers are already feeling the pressure of labour shortages, operational costs, and the risk of unintended consequences from any policy changes that could add extra burden. These concerns are valid, and they need to be taken seriously. Any improvement to migrant workers' protection should be designed in close partnership with employers, ensuring that reforms are practical, balanced, and sensitive to the realities of running a business in this Island. The aim of my proposition is to develop a work permit policy framework that supports both workers' welfare and businesses' sustainability. One that strengthens our reputation as a fair and attractive jurisdiction where people choose to come and work. By working collaboratively, we can create an employment system that protects those who contribute so much to our Island while ensuring that businesses continue to thrive. My proposition comes in 2 parts. Part (a) calls for a policy change after a review is conducted. Only part (a) of this proposition, as amended, carries the requirement to make any legislative changes. Again, it calls for a review. It is not a conclusion. A review that asks: "Are we willing to examine whether our current system is working as intended or whether it is unintentionally creating risks for workers?" Part (b) calls for an examination of the employer pays principle with the view to implementing it as a best practice. So, a bit more about part (a). Part (a) seeks to eliminate the servitude aspect from our policy. The fact that work permits is written in the name of the employer rather than the employee, it is the main reason for workers to experience and feel that they do not have free will of movement or autonomy. According to the modern-day slavery strands, this aspect of the policy keeps workers into servitude. Workers are attached to the employer through that simple but very effective way of keeping them under control and dependent on the employer in all aspects of their work and living experiences in Jersey. It is a control mechanism, that it is dated, and does not treat all humans in this Island as equals. Part (a) has been amended after constructive discussions I have had with both the Minister for Justice and Home Affairs and the Immigration Department, and I would like to thank the Minister and the Head of Immigration for their constructive meetings that we have had. One of the conclusions I came to during our discussion is that both the Minister and the Head of Immigration agree with me that it is time for things to change. Our differences are based on how those changes should come about. I am pleased to say that we agree on the issues that affect migrant workers the most and how they need to change. The compromise that come from our meetings was that both the Minister and the head of Immigration feel that it is necessary to have a full review of the work permit policy to find the best way forward to improve it, and to include protection for workers. It is a good compromise, in my view, and I am happy with it, as the review will allow for a full consultation involving all parties on this issue to have their voices and concerns heard. I believe that the Minister for Justice and Home Affairs and the Immigration Department are in support of part (a), but not so much of part (b). I do urge Members to exercise your free will on part (b). So, part (b) focuses on

another aspect of the work permit policy, which is debt bondage. It calls for an examination, and I must stress, not a review, but an examination of the employer pays principle as it is set out by the International Labour Organization. Part (b) asks that after the examination is conducted that the Immigration Department produces a roadmap for its implementation. I am very aware, and Members may also already have concluded that the employer pays principle is just that, it is a principle. Again, it asks the Minister to undertake an overdue examination of how these principles can be applied in the Island and to produce a roadmap to set out the steps for its implementation. I believe that the work permit policy has already adopted some of the principles, but it has not gone far enough. If Members remember earlier in my speech, I mentioned that Jersey G.D.P. *per capita* is so much higher than the G.D.P. *per capita* from countries that we are currently recruiting from. This makes value for money for Jersey for sure, but it is such a financial burden for workers. The costs of applying for a job and for all the requirements needed for them to travel over are astronomic for them. Many workers, before they get here, they are already in so much debt. They either borrow from family members or loan sharks, or they owe the money to the employers who pay the costs up front and later will deduct it from the worker's salary as per agreement, and this leaves workers' debt bond. Again, this is a strand of modern-day slavery, and we do have this in Jersey. Part (b) is not a request for a blanket application of the principles; it is a request for the Minister to undertake an examination of the employer pays principle and to produce a roadmap with the Island's needs in mind for the implementation of best practice of the principle moving forward. I hope that Members have had an opportunity to read the employer pays principle, which is attached on the body of the proposition. At the core of the principle, it states: "No worker or job seeker should be charged directly or indirectly, in whole or in part, any fees or related costs to their recruitment. Instead, all recruitment-related costs should be borne by the employer, who benefits from the privilege of competing in the global world for workers." This is really important, we are now competing for workers, and the global competition is rising for workers. We are going further afield to find them. It goes further to say: "This principle is fundamental to combating exploitation, forced labour, and human trafficking, particularly among migrant workers who are often forced into debt bondage by high recruitment fees." This Act aligns with international labour standards and the human rights framework.

[16:30]

The International Labour Organization states that labour is not a commodity and urges governments to strengthen their law to hold employers and recruiters liable for those costs and encourage businesses to adopt these practices throughout their supply chain. I.L.O. also supports the United Nations' guiding principle on businesses and human rights, which calls for the prevention of human rights abuse in the supply chain. The principle was initially driven by multinational corporations and labour bodies who sourced migrant workers from lower economic countries and understood that there was a need to protect workers who, from the outset, are economically in greater vulnerability in comparison to the countries they work for, and due to their vulnerability, they are open to abuse and to exploitation. Many countries in Southeast Asia, North Africa, Canada, and Europe are adopting it as best practice to prevent modern-day slavery from taking place. Presently, there are around 25 European countries that apply some form of the principle, and they have prohibited any recruitment or travel fees. Countries such as Germany and Sweden have brought in laws that empowers the government to force recruiters to reimburse the monies already collected from the workers back to them. The employer pays principles has many positive benefits to countries who adopt their best practice. It enhances a country's international reputation for embracing fair recruitment policies. It supports sustainability and transparency in labour markets and ethical practices in both domestic and transnational recruitment systems. To accept part (b) of my proposition is the right thing to do, not only from a moral point of view, but also because it enhances our economic and strategic position in the international marketplace arena. It is not about applying unnecessary charges to the employer. It is more about understanding where are we currently recruiting workers from, understand their economical disadvantage from the outset, understanding the consequences that our current ill-thought

through work permit policy has on migrant workers, and how many workers are currently suffering the consequences of a policy that is, at the best, exploitative and disadvantaged further those who have the least. Jersey can agree to choose to join countries who are leading on the best way forward and to apply best practice when it comes to the treatment of migrant workers, or we can reject part (b) and risk to be identified as a jurisdiction that gives as little as possible to workers while exposing them to unnecessary vulnerability. I am just going to share a very small story to try and illustrate the issue I am trying to bring to light in the Assembly. I have given a false name to the main person on this story, just to protect his identity. I will call it “Paul’s Story”. Paul was a Kenyan worker. He came to Jersey for what should have been a 9 months’ contract with the construction industry. His seasonal contract was from March to November. Paul had never left his country before. He was full of hope and anticipation to be coming to work in Jersey. He would finally have an opportunity to better his life and the lives of his family, children, and elderly parents. Unfortunately, Paul did not arrive here until May, and that was due to delays with issuing documents and immigration applications. By the time Paul got here, ready to start his job, he was in debt for more than £4,000. Paul struggled to settle in Jersey. His mindset was one of constant worry about his finances, and it should have been the opposite; he came here to better his life. He was stressed about how long it was going to take him to pay for his debt before he could start saving and send money back to his family, especially because his employer did not honour his contract, and instead of working 45 hours per week, Paul was only working 32 hours per week on a minimum wage. His employer kept telling him that the work was dying out. Paul could not try and access any extra part-time work to supplement his income as the work permit policy did not allow for that. Unfortunately, things got worse for Paul as the construction company he worked for told him that his position was only available until the end of August. He could not try and apply for another job and stay until November because he was not allowed to do so according to the work permit policy. His family back home were being threatened by some people in their village who had not received the payment back from the loan they had gave to the family. When I met Paul, he was really, really struggling. I do not often see grown men crying, but Paul did cry. He spoke about concerns for his family’s safety, spoke about how he ended up in the situation, and spoke about the fact that he came here to better his life, but was in so much debt that he wished he had never come here. In essence, Paul came over for a job that was meant to give him a better life quality, but in the process of getting here Paul incurred a great amount of debt, and these job circumstances maybe it made it even worse. I will not share the end of Paul’s story because it is too upsetting for me to tell the Assembly. But it was not a good story and not a good end. I just really wanted to illustrate the chain of the debt situation when we have migrant workers coming here. I do not know of any other area of employment in the Island where workers have to pay up front and get into debt before they can even start a job. It is a unique set of circumstances and only applies to seasonal migrant workers. Coincidentally, migrant workers are the lowest paid workers in Jersey. If we are not exploiting their already vulnerable status, I do not know what to call it. In conclusion, as an Assembly we need to not only move forward with definition of modern-day slavery, but change the entire narrative through the rebalancing of power between the employer and the employee.

#### **The Bailiff:**

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

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

I was pleased to work alongside the proposer of this proposition, Deputy Porée, as part of the Work Permit Holder Welfare Review Scrutiny Panel at the start of this political term before I joined Government. That gave me valuable insight into the issues faced by those who come to our Island to work, often leaving families, communities and support networks behind. Members will know that the Deputy has been a consistent advocate for the migrant worker community since being elected to the Assembly 4 years ago. She has spoken frequently and passionately on behalf of those who may not always feel they have a voice in our political processes, and I want to acknowledge that work

today. Since becoming Minister, I have worked hard with the Customs and Immigration Service to drive improvements in relation to the welfare of the work permit holders. We have made progress, but there is more that can be done and more that needs to be done. For many years, we have relied on work permit policy that was developed in large part in the 1990s, with reactive changes and incremental improvements added over decades. But the Island has changed significantly, not just since the 1990s, but in the last 5 years alone. Our employment landscape is different, with some significant gaps, challenges and pressures. Post-Brexit, the Island's attractiveness to workers from abroad has also shifted. In recent years, we have welcomed individuals from a wider range of countries and regions than we ever did before. Unlike E.U. citizens prior to 2020, who were able to live and work here without immigration control, these workers are required to have work permits. They enter a more formal immigration system with clearer rules and responsibilities, and that system must be robust, fair and fit for purpose. As a result, we now have a much higher number of workers with immigration permissions issued under the work permit policy. To illustrate this change, in 2020, 397 work permits were issued. By 2024, that number had increased to over 3,000. This represents not only a significant administrative increase, but a fundamental shift in the composition of our workforce. It is right in that context that we ensure the work permit policy is meeting the needs of the Island while upholding the highest possible standards in relation to the welfare of those who come to work here. That may require changing our approach in certain areas and modernising parts of the system. It is recognised that the time has come to look again at our work permit system and consider whether some more fundamental changes are needed. I am therefore grateful to the Deputy for amending her proposition. As she rightly explained, her, myself, and the Immigration Department have met on a number of occasions so that part (a) provides the commissioning of an independent review of the work permit policy. This will include consideration of the continued appropriateness of the work permits being issued to the employer rather than the employee. That is a significant question, and it is right that it is examined thoroughly and impartially. I want to make it clear with Members that such a review would not be limited to this single issue. It would look comprehensively at all aspects of the policy. The department is already undertaking work to scope out the terms of that review and to identify a suitable independent reviewer with the necessary experience. I am therefore pleased to accept part (a) of the Deputy's amendment. I will now turn to part (b), which I do not feel able to accept, and I hope the Deputy will allow the debate to be taken in parts. Part (b) relates to the employer pays principle and would mandate that this principle must be implemented in the Island by June 2027. While I agree that there is merit in examining the costs incurred by those coming to work in Jersey, my principal concern with this part is that it presupposes the outcome of the review. The whole purpose of commissioning an independent review is to ensure that we base decisions on evidence, data, and the insight on those affected without predetermining conclusions. That said, I do believe that there is real value in taking a serious look at the financial burden placed on migrant workers and the potentially negative consequences that can arise. We must remain vigilant for signs of exploitation in this community. Debt bondage, where a worker becomes trapped in employment because of the costs they have incurred to take up that job, is one such risk. We must be proactive in mitigating it.

[16:45]

Since 2024, the work permit policy has explicitly prevented employers from passing recruitment costs on work permit fees to employees, directly or indirectly. That was a significant step forward, however, it is still currently permissible for work permit holders to be expected to meet their travel and visa costs. That may be an area where we need further reflection, and we need further consultation with all those parties. Alongside this we have committed to bringing forward modern day slavery protections in Jersey. These reforms are essential if we are to provide the safeguards and legal frameworks that migrant workers deserve. This means that we will have 2 significant pieces of work underway; one concerning the work permit policy and the other, modern-day slavery. I would also like to highlight some of the concerns that were raised in the Deputy's speech in relation to the

ability for a worker to now have and take on extra employment, and those rules have changed in order that someone can now do that. But more importantly as well, if someone signs a contract in their home country, when they arrive here that contract has to be honoured because that is based in employment law, so those things cannot be changed. For that reason, I cannot accept part (b) of the Deputy's proposition today. We should allow the review to conclude so that any decisions we take are fully informed, coherent, and avoid unintended negative consequences. I am committed, as is the Customs and Immigration Service, to ensuring that work permit holders who make a significant contribution to our Island's life and economy are treated with fairness, dignity, and respect. By accepting part (a) of this proposition we can make progress in this direction. I am already aware that there are certain parts of our industries that do already pay some of the travel for the work permit holders that come to the Island but, as I said, I think for us to make that fundamental change we need to have proper consultation. There is something else that I would like to also raise here, which is sort of relevant but not, is to say to people in our community - because there seems to be a misunderstanding and I would like to clarify it - work permit holders cannot be deported. It seems that in the community people are in fear of being deported. Someone cannot be deported from the Island unless they have been dealt with through the court in relation to a criminal offence and they have received a sentence of 3 months or more. They cannot be deported in relation to having their work permit withdrawn. They will, because they have not got a work permit, not be able to remain on the Island and may have to leave. Deportation is something whereby a person can never come back to the Island. They are deported; they cannot come back here on holiday unless that deportation is withdrawn. Someone that leaves the Island in other ways can reapply for a job here and can revisit the Island. I wanted to make that distinction because there is much said about the fact of people fearing that they are going to be deported. Customs and Immigration do not deport people, and I wanted to make that quite clear.

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

A point of clarification please, Sir?

**The Bailiff:**

Will you give way for a point of clarification, Minister?

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

Yes.

**The Connétable of St. Mary:**

Just to be sure I understood the Minister correctly, part (b) of the proposition is an examination of the employer pays principle. Stopping that clause there, is the Minister saying that aspect will in fact be dealt with in the context of part (a), which she agrees with?

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

Yes. To clarify, part (a) should include all of those factors in order that we are not pre-empting the result of the review. That review needs to take consideration of the workers, alongside the businesses and everyone that is involved in this situation.

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

I am sure that Members will not be surprised that I am speaking on this proposition because I have been speaking about it for the last 7 years. I am really grateful for Deputy Porée for bringing it to debate in this Assembly. I did not because every time I felt we tried to sort one case, another case, and another case, and every time I needed to ask to be listened, for favours, to look into the law; it is not a favour for me but please, please, please if there is an option for the person. I am grateful to the Connétable of St. Mary asking this question because if we are looking at part (b), undertake the examination, if it will be included why are we declining part (b). I am not sure if the Connétable

remembers a case in 2021 when he was involved as the Deputy of St. Mary, and Deputy Lewis. I have gone back through the history, and I found exchanges that we had in July/August 2021. The situation that Deputy Porée brought to our attention and the name “Paul”. We dealt with this situation in 2021 with 20 workers that were employed by an agricultural company that paid for their visas and their flights. They arrived into the Island and most of them within 4 weeks had been told: “We do not have any more work for you, go back.” Ministers were involved, Deputies were involved, senior officers were involved. I looked through the trail of the emails. By the way, they were from agriculture; there was another company that would offer a place to 4, but not for all 20. We are talking about 2021, we still had COVID restrictions and hospitality was crying out for staff, but they cannot change the place. They would have been happy to be employed by somebody else. They came on a 9-month seasonal visa, and they were not from communities that we have now. It was before Brexit. The problem that I have, to continue to say we will not examine it properly, part (b), it is not the time: when is the time? Because if you speak with the Portuguese community, the Polish community, the Romanian community - I can go on and on and on - it does not matter where you came from as a migrant seasonal worker to work in agriculture, hospitality, they all experience exactly the same problems regardless of where they came from. I am really grateful for all the people who were involved. It took 2 weeks and some people were allowed to stay, some people already bought their ticket, and some people left. If we have people here ready to work, why would we not allow the workforce to support sectors that are in need? Five years on, multiple conversations, and still the system does not work. This is the issue; the system is rigid and does not want to move quickly. It is correct that the Minister is saying they were not deported but in the emails if they would stay they would become illegal, so it does not matter if they will be deported or if their job would be lost and visa cancelled, they would become illegal. If they stay in Jersey they will become illegal, they will break the law, and they will be deported. So whatever way we are going around, the result is the same. For me it is introducing a fair, structured pathway. This is what Deputy Porée requested in part (b), to examine. For us it is to raise standards, not because when workers cannot move good employees will undercut the bad ones. There are lots of ways that we can go around this situation, but the most important is that we do recognise the value of those workers. Think about another sector. With States of Jersey we are signing the contract, we pay a really nice relocation package to attract our employees to come work on the Island. In finance and professional services we always see good relocation packages paid by employers, which is the employer’s choice. You can say we do not need to tell the employer what to do. Flights are covered, accommodations are covered, costs are supported, costs absorbed, and when we are talking about people who are often on minimum wage they are expected to pay to come. I remember at that time in 2021 we did a calculation, for the first 3 months of their visa they need to work to recover the cost, and another 6 months is to cover whatever the expenses plus maybe ... because they are not coming to settle here, they will not benefit from our system. They come here to ensure that they can own money to support their family there. We are not giving them options to settle here and to enjoy our systems. For me it is to build the fairness from the start, and this proposition does exactly that. If I would not be able for the last 7 years I would say let us continue with the review, but we already have a review, let us just examine it. I am really grateful again to Deputy Porée that we are finally having a debate and not just conversations in the offices. I will be supporting both parts.

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

I stand here not just a Member, but someone who has lived part of such bad experiences as a Romanian migrant, and I was one of the lucky ones that probably did not have it as bad as others because I always stood up to injustice no matter who I had in front of me or how unpopular this was, and no matter the consequences. But not everyone is able to do that or stand up for themselves without considering those consequences. My sister remembers it even more harshly as she came to this Island when work permits were in place before 2007 for E.U. nationals. She was among the first Romanians here. We both remember the feeling of being at times discriminated, mistreated, living

in poor conditions, and having our rights disregarded, like many other migrants of different nationalities. Twenty years later unfortunately - although not as often as before - there are still many similar worrying cases that can easily occur under the existing work permit system, which ties employees to employers and leaves them with little ability to escape when those employers prove to be bad. Call it modern slavery, call it discrimination, call it wrongdoing; however you label it, it exists. It must be acknowledged and then resolved. Over the past 2 years this has become increasingly through recent review reports and court cases coming to light. While these issues were already known their full extent has only recently been revealed with greater clarity and evidence. We can no longer afford to ignore them. Migrants come for opportunity and experiences, but opportunity should never come with fear, because when your right to stay depends on one employer something changes. You do not speak up; you do not question. Being far from home and your loved ones you endure; not because you want to but because you feel you have no choice. That is the reality. We are told the system does not create control, but control does not need to be written in law to be real. When your visa, your home, and your stability are all tied together the balance is already gone. We know where that can lead. We have heard the stories; people pushed to the edge, even to suicide, by pressure and isolation. Some are living in conditions no one here would accept, forcing them into dangerous improvisation just to improve their living conditions, sometimes with fatal consequences. We have seen exploitation in many forms. How long will we allow this to continue? We already know what holds people there. It is not just the job, it is the debt; recruitment fees, travel costs, hidden charges. That is the chain. Internationally - including the International Labour Organization - this is recognised as a key driver of exploitation, so we cannot say there is no evidence. We already have it. The question is whether we act on it. That is why the employer pays principle matters. It is simple, if a business needs a worker the business pays, not the worker. There are measures that the Government can also bring to ease these employer costs. We understand that employers may worry about paying recruitment and visa costs up front only for the worker to leave soon after arriving. The roadmap and proposed safeguards address this. Measures can include minimum probation periods, notification requirements for changing jobs, and compliance checks so workers cannot exploit the system without consequence. At the same time, employers who meet their obligations in good faith are fully protected. This ensures that fairness works both ways; migrant workers are not trapped in debt or exploitation, and employers are not unfairly penalised for doing everything correctly. The goal is a system that encourages responsible hiring and responsible employment, balancing protection for both parties.

[17:00]

I have heard from the Minister during some questions in a previous States sitting that the International Cultural Centre already supports migrant workers with such aspects, and I fully agree that the work and existence of the Jersey I.C.C. (International Cultural Centre) is important. Its continued operation, especially after the change of Government, came only after sustained pressure of about a year from myself, Deputy Alves, Deputy Gardiner and Deputy Porée, as members of I.C.C., who collectively urged the Chief Minister and the Council of Ministers to reinstate it. What if the next Assembly has to be again pushed for it to continue existing? While the I.C.C. is trusted by migrant workers and plays a vital role in signposting them to the right services and right people for support, it is not a decision-making body. It cannot directly change the policies or systems that affect migrant workers. That responsibility still rests with the Minister. That is why we need decisive action without further delay to address the structural issues that leave workers vulnerable. Now we hear concerns that this is too early and that it pre-decides the outcome, but a roadmap is not direct implementation, it is indeed a review along the way in planning. It is how you do this properly. We must wait for further review reports and evidence, though there is already strong evidence on what affects migrant workers the worst. This amendment does not bypass the review; it complements it and ensures we do not just review endlessly without preparing solutions. We hear concerns about business, but good businesses already act fairly. A system that depends on workers paying to work is not strong, it is

fragile. I will repeat that. A system that depends on workers paying to work is not strong, it is fragile. Fairness strengthens the economy. We hear that workers can already change jobs, but on paper that is not the same as in reality. If someone is in debt tied to housing or uncertain about their status, they are far less likely to leave. Mobility in policy does not always mean mobility in real life. We hear it is not legally required but not everything that is right is legally required. Leadership means choosing to do the right thing, not just the minimum required. We hear about unintended consequences but there are already consequences today, real ones. Workers in debt, workers afraid to speak. Doing nothing is not neutral, it is still a decision. We hear this is rushing but this is not rushing, this is a roadmap by 2027 that gives time to consult, to plan, to implement properly. If that is too fast, then we risk never acting at all. The amendment brought by the Deputy to her own proposition was already a compromise. It was softened and adjusted to allow flexibility. To my understanding, that came through engagement with the Minister and her officers, who then changed their minds again. To summarise what the proposal argues, the current employer system can create conditions similar to servitude and recruitment that contributes to modern slavery risks. But also the risk mentioned by others if these changes are already considered and mitigated within the proposal, and it should not be implied they are not. The change is structural but limited. Immigration safeguards remain. The goal is not open labour mobility but human reform with existing controls. This is not about removing controls; it is not about opening the system. It is about fairness, balance, and recognising that behind every permit is a person, a life, a story, a journey. If we cannot even commit to a roadmap to fix a system we know is broken then when will we ever choose fairness over fear? It is time to act now. Support this proposal in its entirety, support fairness, support dignity, and stop kicking the can into the next Assembly, which may or may not prioritise it. Otherwise, you risk becoming complicit in allowing our migrant workers to continue being treated as second-class citizens.

#### **7.1.4 Deputy L.V. Feltham of St. Helier Central:**

Just to correct the record, the Minister for Justice and Home Affairs is the main respondent ...

#### **The Bailiff:**

Yes, you are quite right.

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

... so you can switch the clock on for me. **[Laughter]** To return to the proposition, if recent events have taught us anything it is that those who come to work here, and particularly those who come as temporary workers, deserve to be treated with dignity and respect and to live in a safe and secure environment. Temporary workers support the life of the Island in many different ways and we have many reasons to be grateful to them for the work that they do. As Deputy Porée so rightly stated, we must remember that we are in a global marketplace and rely on these workers to come and work in some really important industries for our Island, such as the care sector, the hospitality sector, and the agriculture sector. Part of ensuring fair treatment is having a work permit policy that is fit for purpose, and I welcome the proposal for a review of the current arrangements, and I thank Deputy Porée for her initiative, and also to the Minister for Justice and Home Affairs for accepting the Deputy's amendment to part (a) of the proposition, which I also support. With regard to part (b), while I understand where the Minister for Justice and Home Affairs is coming from, I have come to do a different conclusion, and I will be supporting Deputy Porée's part (b) as amended. I am confident that the Minister's review under part (a) will examine the issue of fees and other employment related costs, but to me the employer pays principle is a separate and important safeguard. Migrant workers should not be saddled by incurring large debts before they even start working in Jersey, or even set foot on the Island. I appreciate that some Members may be concerned that some local employers might struggle to meet all the costs associated with overseas recruitment, however, my understanding is that we are being asked to commit to a voluntary principle which sets the gold standard for employer behaviour. The term "gold standard for employer behaviour" reminds

me of when I was on the Migrant Worker Panel that Deputy Porée chaired, and we heard directly from employer representatives who told us that they wanted to be seen as gold standard employers for their industries, and they wanted that gold standard to happen in their industries. Also, I am conscious that other governments already insist that governments that they are sending their citizens to do meet the employer pays principle. A good example of this is the Philippines Government which already insists that the principle is met in relation to their citizens coming to the Island. I am also mindful that larger supermarkets supplied by our agricultural sector have signed up to the principle already, and they also expect that their suppliers will meet the principle as well. I strongly believe that recruitment fees and charges should never be borne by the worker. I note that this is included in the current work permit policy, which states that the employer is responsible for covering any work permit and recruitment agency costs; an employer cannot deduct work permit and recruitment agency costs from the employee's wages. I urge the Minister and the future Government to ensure that this element of the current policy is strictly enforced to avoid the type of situation that Deputy Porée referred to in her opening speech. To sum up, I hope that Members can agree to support part (b) and send migrant workers a very clear message as to where this Assembly sets the moral bar for employer behaviour.

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

First of all, I would just like to thank Deputy Porée for bringing this to the Assembly. I was pleased to be able to work as part of her original Scrutiny Panel from 2022, which actually did feature Deputy Feltham and I think the current Minister for Home Affairs, Deputy Le Hegarat, and the Constable of St. Clement, if I remember rightly. Deputy Porée identified very early on an urgent issue which many of us knew about. I remember before 2022, maybe even in that year, that I was made aware of the situation of some Russian farm workers who had signed up to work here for a summer, and that they found out that basically the work they had come over for had dried up. They were left pretty much with nothing left to do, and although legally they were not being deported ... and I think it is useful that the Minister for Justice and Home Affairs has differentiated for us what legal deportation is versus what administrative removal is. I think the common understanding of the word is that it probably felt very much like they were being threatened with a deportation. In that case, some time was able to be bought for them to see if they could work somewhere else. But it does very much feel that there is an asymmetric relationship currently, especially in some sectors when it comes to work permit holders. Although we do often pride ourselves on having some very sensitive debates in this Assembly, even when they are contentious, unfortunately the kind of dialogue and narrative that we get on social media is not the case. I was really saddened to see that even in recent reporting where the Deputy was being interviewed some of the quite frankly racist and prejudiced language that does emanate from many social media groups, which I am frankly surprised at because with the standards that the groups sign themselves up to the administrators should be straight on to that. Indeed, some of the comments may have even been a breach of the law, taking free speech far beyond its excesses. This is the kind of world we are still living in and that work permit holders still have to contend with, even in 2026 when I hope the mainstream of society has become not just tolerant but much more welcoming still in our small Island. When it comes to part (b) I think that is where some of the debate has been had. I was pleased to note that the Minister for Social Security has come to a different conclusion to her Home Affairs colleague. I think she is right to do that because what part (b) is really asking to do is to accept that there is already a model for good practice and a gold standard in this area, as outlined by the International Labour Organization and adopted by other organisations. Deputy Porée is simply asking for an examination to produce a roadmap for the implementation of the principles outlined in that by 2027, and to ensure that the recruitment fees and related costs of employment are not collected from the workers themselves, either indirectly or directly. The reason that is so important is that when it comes to notions of modern-day slavery - either in fact or that border it - that is one of the key areas where there is an issue. It can be that workers - and we have heard so many stories - come to the Island and they are already in debt, and they remain effectively

in a situation of indentured labour where we do not know the full circumstances of the way that they might have been brought here. It may be that a lot of their wages are being sent back, not necessarily to their families but to pay extortionate rates to the people who brought them over, which may be far beyond the real costs of what it cost them to be here. They end up in a situation of spiralling debt. That is one of the key reasons to make sure that Jersey has no part in that, either by omission or by commission. It is really important that Deputy Porée has highlighted that and that we do accept it. But more broadly there are also V.A.W.G. (Violence Against Women and Girls) issues in here, and I do not know if we have fully touched on them; the Deputy may have in her opening remarks. We have to remember that V.A.W.G. issues do not just affect women who are necessarily born in Jersey, who live in Jersey in the mainstream, but that immigrant and work permit holders are particularly susceptible to sexual abuse in the workplace, especially if they feel that they cannot leave and it is being perpetrated by or on the part of the employer. They may be unwilling to speak up, especially if they do not realise that they have certain rights under the law, because they are not generally protected when it comes to unfair dismissal, although they will of course be when it comes to anti-discrimination legislation. This will not necessarily be made aware to them, and even if they are aware of that there may still be that fear. This is very much a layered problem which particularly affects those minorities. It may interest Members that I do have some experience of being a work permit holder myself. When I was in my early 20s I spent 2 occasions *à l'étranger* [abroad] where I needed to get on one occasion only a work permit to work in France. I was working on one occasion in La Réunion which is a small Island about 500 miles east of Madagascar, and about 100 miles away from Mauritius. On that occasion I was allowed to enter ... I have got to make sure I get my timings right. I was there first as a student and then I was there later on as a 25-year-old, but in the meantime, I had also been to Martinique in the Caribbean. I had a difficult life in my 20s, I must admit, and since.

[17:15]

Strangely enough, because of the arbitrary nature of European administrative bureaucracy I was required when I went to Martinique to get a work permit because they looked at my passport and they said: "You are not a European citizen, therefore you need to get a work permit." So, I had to trot off to London, I had to wait for my visa, and then when I got to Martinique I had to get my work permit. What that meant in real terms is that I had to go through an administrative process. I got to Martinique and I went down to the hospital because I was required to get an X-ray of my chest, presumably to make sure I did not have tuberculosis or something like that. The humiliation of it, I had to share a waiting room with some Americans, so my European status was definitely not recognised in that regard. We were brothers and sisters in arms ... perhaps not, but we were under the same plight. Then I had to register for a *mutuelle* [private health insurance]. I cannot remember exactly what the social security situation was in France, but I seem to remember being told that if you get sick, because you are only here for 6 to 9 months, that you will get treatment, but you will have to cover the gap yourself. So, you would need to sign up for a private insurance and that will make sure that you are fully covered, but you will be paying this *mutuelle* out of your social security contribution. So, it was a very slick process, even though there was some administrative burden on my part and on the employer's part. But it did mean that I could go into that situation as a professional, teaching other teachers English, and I knew that I was covered. I knew that the social security contributions that I was paying had some meaningful effect. I never needed to use it, but I know that others might have. Interestingly enough, the second time I applied to work in La Réunion they said: "No, it is fine, you are British, you do not need to worry about that." So, I took that down and marked that down as a win. We do find ourselves as world citizens often at the whims of arbitrary administration, and we do not choose this, whether we are locals or whether we are travelling. I do note that there have been some comments in the paper that Deputy Porée has written, work permit holders and economic migrants are often disparaged: "They are only here for the money." Well, I think we are only here ... not us here, of course, we do this job for much more lofty ideals than that,

but I think most workers work for the money because they need to survive. It does not matter whether you have come to Jersey to work or you find yourself in Jersey to work, we all need to survive and we do want to make sure that everybody is treated correctly. What Deputy Porée has highlighted in this proposition in both parts should be widely commended and should be fully adopted by this Assembly.

#### **7.1.6 Deputy B. Ward of St. Clement:**

There is something that I have always found very curious, that when we have temporary and seasonal workers and they do pay tax, some of them, that they also have to pay long-term care contributions. Surely this deduction, that is set by the Government, should not be implemented on people who would never be able to benefit from having made contributions. I may be wrong in what I am saying, and I look to the proposer if she could maybe confirm that long-term care is paid by seasonal and temporary workers. If so, therefore, maybe the Government should lead the way in applying a fair treatment to our seasonal and temporary workers by ceasing this long-term care deduction on these types of workers, because they will never be able to benefit. They can benefit from the social security contributions and that is absolutely right, but long-term care when you look at the qualifying period to be able to get it, they will never be able to qualify for that. I look to the proposer to guide me on that.

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

Like other Members who have spoken, I of course absolutely commend Deputy Porée for not just bringing this proposition but for her diligent and tenacious work in this term of office to highlight the plights of migrant workers in Jersey, and everything that she has done for that. I worked closely with Deputy Porée on the last election campaign, as we were running in the same constituency, and I know that this is not necessarily the issue that convinced her to want to stand for election and be a part of this Assembly, but no doubt many of the testimonies that she heard upon becoming a States Member and the trust that she was held in by many migrant workers in Jersey has contributed to her being a shining light on this subject. She has done the Island a real favour by highlighting these issues because I certainly cannot remember in my time in politics where that part of our community has been considered in much of our policy-making. It is absolutely vital that they are. Though our society is made up of people from different walks of life, including those who are Jersey born with generations going back here hundreds of years, to those who have arrived more recently. Everyone who is living in this Island is entitled to equal rights, decency, and respect, and to be treated well at work. Speaking as somebody who was born on the Island and who has been lucky to enjoy a good life here, I do not believe in a Jersey where our happiness and prosperity should ever be built upon the unhappiness and exploitation of others, no matter what that would do for the quality for life for those living here. That is an absolute point of principle that we should never renege on. That is why those who come to the Island to work here, who we know provide that crucial economic benefit to the Island, should be treated with dignity and respect and they should have full rights in the law. I am very pleased that we find ourselves in the situation we do with part (a) of the amended proposition that Deputy Porée has worked with others behind the scenes to get the wording that is now accepted by the Minister. I presume that will be uncontroversial in the Assembly and will lead to an independent review, which will inform the way forward on that to make sure that, rather than tinkering with good intentions, what ends up coming about as a result of it is comprehensive and has all things covered off, and make sure that it does not inadvertently apply unintended consequences. So that is a really positive step forward that I am very pleased to be supporting. With part (b), of course I am also supporting that, and urge other States Members to do so too. When I first saw it, I instinctively thought that there is an issue of basic fairness here, which is that if you are being invited to the Island to work here that your costs ought to be covered for you coming here. That just strikes me as basic fairness but hearing the testimonies that Deputy Porée has highlighted to us, including what she referred to in her opening speech, Paul, I think she named him as. It highlights the kind of

experiences that many of us cannot relate to because we have never been through and do not know what it is like to feel under that kind of pressure where you turn up somewhere where you have no network, no people around you who you believe and trust are on your side, no understanding of what the public services are, and having to rely on people who you hope are - and in most instances will be - decent and will be looking out for you. But when it turns out they are not and you have no idea where to turn, things can escalate to the point of them causing real crises for people that can have devastating consequences. The story that Deputy Porée gave in her opening speech should highlight that to all of us. When I look at part (b) in the context of what she explained, it is not just about the basic issue of fairness, it is also about the safeguarding to make sure that when people are coming to Jersey to work they do not end up inadvertently in a situation where they have no agency and end up in servitude because they are deprived of the ability to exert the choices that anyone else would be able to, to get themselves into a better position. I do personally think the way that part (b) is worded does give the flexibility that is needed to make sure that what happens as a result of it is done properly. There are things that will need to be considered in it, there will be things that we need to think about, are there exceptions, are there allowances, are there particular circumstances where it might apply slightly differently? All of that is worthy of consideration and all of that is worthy of examination, which is the word that is in that part of the proposition, which then goes on to say to produce a roadmap for implementation. I believe the way it is worded does provide flexibility that is necessary to make sure we end up in the right position there. One point I did want to clarify, following on from some comments of Deputy Tadier about the impact that these issues can have on people, particularly when they are facing domestic violence, is just an acknowledgement of changes that have come into force in the last few years on income support so that some support can be provided for, I believe, 3 months in those instances. It is important that people know that and know there is some availability there. One day that will hopefully be part of a wider set of measures, because of this proposition, providing much greater safeguarding and rights to those who come to Jersey, for whom we should all be grateful for the work they do here and make sure they are never forgotten and their needs are never considered an afterthought to us. Everyone on this Island deserves to be treated with equality and dignity, and so I am very pleased to be supporting both parts (a) and (b) of this proposition.

**The Bailiff:**

Does anyone else wish to speak on the proposition? If no one else wishes to speak, I call upon Deputy Porée to reply.

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

I would like to thank all the Members in this Assembly for being open and prepared to listen to this debate, and in particular I would like to thank the Members who have contributed. I will try very quickly just to thank everyone individually. I would like to thank the Minister for Justice and Home Affairs for her contribution and the fact that she agrees that a lot of work needs still to be done. I am very grateful to her to be honest with that. The other aspect that the Minister for Justice and Home Affairs referred to about the employer pays principle, again, I understood that there would be a setback on part (b) but what I would like to say is that the employer pays principle should not be dependent on a review. It really is not what the part (b) is there for. A review is something that will be conducted, and after the conclusions of the review then we can bring into force amendments or changes to the policy. The employer pays principle should not be dependent on that review. It should be something that the Island wishes to adopt because it is the right thing to do, and because we care about our economy and about the people who come here to work. It is not a review. Again, I just say if it was a review the Minister could come back, or whoever the Minister may be next year, and say: "The review says such so we are not going to implement it." So, I do disagree with the Minister on that, but I do appreciate her contributions. I am going to thank Deputy Inna Gardiner for her contributions and for illustrating the cases she has been involved with, and I very much thank her. When she was talking all I could think was when I first started all I did was walking around with

migrant workers, and I am very grateful that at some point I.C.C. was put in place and I could have migrant workers being supported or signposted to I.C.C., while I, as a Deputy, would have the time and the mindset to work with the policies. Before that I was far too overwhelmed with the amount of people coming to me with complaints to actually do anything about it, so I would like to thank you for your contribution.

[17:30]

I would like also to thank Deputy Raluca Kovacs for sharing her sister and her own story, which I am sure it was difficult, and for being so clear on the support she has given me and the proposition. I could not endorse her words more if I tried. Deputy Lyndsay Feltham, I thank her for stating that the policy urgently needs updating. I thank her for her open and honest contribution, and for highlighting part (b) of the proposition, and for sharing that businesses such as Tesco are already acting within the manner I am now proposing, and that countries such as the Philippines where we have migrant workers coming to work in the agriculture industry, they are expecting and demanding that the employer pays principle is applied to their workers, as it is so detrimental to their financial well-being. I do thank Deputy Feltham for highlighting those issues in her speech, as I would have forgotten to do so; so, thank you. Deputy Tadier, thank you for sharing what is happening in the wider Jersey, again, something I did not speak on in my speech, and for commenting on social media feedback that I have been exposed to every time I work with migrant workers. For me that shows that as an Island we really need to be better educated, and to educate ourselves on the benefits migrant workers bring to this Island. It is time to change the backward mentality, and if we are really to be honest, nearly 50 per cent of Jersey's population is made of immigrants, so we really need to be sensitive and appreciative of what migrant workers bring to this Island. So, thank you for sharing that. I would like to thank Deputy Barbara Ward as well for highlighting another fundamental issue that affects migrant workers. I do really hope that the Ministers have been listening because this issue will come back again in the next Assembly. It does need to be tackled. Deputy Ward is right in that contributions need to be addressed, so thank you. I would also thank the last speaker, Sam Mézec, thank you for making very clear that, as a Jerseyman, he does not want his well-being to be to the detriment of others who have less than us, and for highlighting how difficult and scary it is for workers to come here without a network support. We, as an Island, are not providing the right protection for them; we are an accomplice of treating people without regard. So, I thank all of those who have contributed. Shall I call for the *appel*, Sir?

**The Bailiff:**

Yes, do you want (a) and (b) separately like you suggested?

**Deputy B.B. de S.V.M. Porée:**

Ideally, I would like it to be altogether but I think for clarity and to support what the Minister said, let us do it separately, thank you.

**The Bailiff:**

Yes. The *appel* has been called for. Members are invited to return to their seats, and I invite the Greffier to open the voting on part (a) of the proposition.

<b>POUR: 44</b>		<b>CONTRE: 0</b>		<b>ABSTAINED: 1</b>
Connétable of St. Helier				Connétable of St. Clement
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				

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

**The Bailiff:**

We now move on to part (b). I invite the Greffier to open the voting.

<b>POUR: 22</b>	<b>CONTRE: 22</b>	<b>ABSTAINED: 1</b>
Connétable of St. Lawrence	Connétable of St. Helier	Connétable of St. Clement
Connétable of St. Martin	Connétable of St. Brelade	
Connétable of St. John	Connétable of Trinity	
Connétable of St. Mary	Connétable of St. Peter	
Deputy G.P. Southern	Connétable of Grouville	
Deputy M. Tadier	Connétable of St. Ouen	
Deputy L.M.C. Doublet	Connétable of St. Saviour	
Deputy R.J. Ward	Deputy C.F. Labey	
Deputy C.S. Alves	Deputy S.G. Luce	
Deputy I. Gardiner	Deputy K.F. Morel	
Deputy S.Y. Mézec	Deputy M.R. Le Hegarat	

Deputy Sir P.M. Bailhache		Deputy S.M. Ahier		
Deputy T.A. Coles		Deputy I.J. Gorst		
Deputy B.B. de S.V.M. Porée		Deputy L.J. Farnham		
Deputy H.M. Miles		Deputy D.J. Warr		
Deputy J. Renouf		Deputy R.E. Binet		
Deputy C.D. Curtis		Deputy M.E. Millar		
Deputy L.V. Feltham		Deputy A. Howell		
Deputy H.L. Jeune		Deputy M.R. Ferey		
Deputy R.S. Kovacs		Deputy A.F. Curtis		
Deputy K.M. Wilson		Deputy B. Ward		
Deputy L.K.F. Stephenson		Deputy M.B. Andrews		

**Deputy B.B. de S.V.M. Porée:**

Sorry, Sir, could you maybe perhaps explain a bit more about the lost side of it?

**The Bailiff:**

If it is a tie then, under Standing Orders, it means it has not been adopted, so (a) was adopted and (b) was not adopted because the vote was a tie.

**Deputy B.B. de S.V.M. Porée:**

Could I come back again with the (b) **[Laughter]** at another time, Sir?

**The Bailiff:**

Well, not today you cannot.

**Deputy M. Tadier:**

Next time move it *en bloc*.

**The Bailiff:**

Yes, quite.

As it is the last meeting before the election, apart from Liberation Day, and the last meeting in this Chamber before the election I would like to say a few words, if I may. Of course, some of you will be leaving the Chamber today for the last time as elected Members. Some of you will know that and others will not know that. **[Laughter]** But some of you have let us know that you are retiring. On behalf of myself, the Deputy Bailiff, the Greffier, the Deputy Greffier and all their staff, I offer my very best wishes to those of you who are not standing again. I do not know who all of you are but some of you I can look at you and express my gratitude at least visually. You have served the States and your fellow Islanders for many decades, and it has been a real privilege and a pleasure to work with you all. You will all be very much missed, certainly by me, and I wish you all the best for the next stage of your lives, whether it is retirement or something else. For those standing again, it is possible we will see you again in this Chamber, and we wish you all the best on the campaign trail. Although you, of course, have your differences politically, certainly from my perspective I think all Members of this Chamber are united in their commitment to this Island and the welfare of its people, which includes, of course, those who have come from other countries to make their home in our Island. **[Approbation]** The final thing is to share some last statistics over the last 4 years. There will be no great surprises, I am afraid to say, in these statistics. Starting with propositions of course, which are not that interesting, there were 411 lodged, 367 debated - most in the last 5 weeks it seems **[Laughter]** - 346 amendments lodged, of which 290 were debated. Most oral questions from Deputy Renouf with 375, and most speeches, the Deputy who broke the 300 barrier on Friday and is now on 305 is, of course, Deputy Tadier - 305, it sometimes feels like more **[Laughter]** but it is 305. Most

propositions from a backbencher, Deputy Andrews with 27. I have not kept a record of how many were adopted.

**Deputy M.B. Andrews:**

9.

**The Bailiff:**

9, well, that is very good, 9 out of 27. Unparliamentary language used only now 9 times, I still regret ...

**Deputy M. Tadier:**

Can you read them out, Sir?

**The Bailiff:**

No, I still regret letting Deputy Ward get away with his “sex panther” [Laughter] but there it is. That is all I propose to say. Chair of P.P.C. (Privileges and Procedures Committee), any observations before we adjourn?

## **ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

### **8. Deputy S.M. Ahier (Chair, Privileges and Procedures Committee):**

For future business I can advise that the next meeting of the States Assembly will be on Saturday, 9th May, for Liberation Day. The first meeting after the election will be on Friday, 19th June, for the election of the next Chief Minister. Those Members, who are not of a superstitious bent, can put that date in their diaries now. With that I propose future business.

**The Bailiff:**

Thank you very much, Chair of P.P.C. Are Members content now to adjourn?

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

Sir, if I may?

**The Bailiff:**

Yes, of course.

**The Connétable of St. Lawrence:**

I do not want to take up Members’ time, but I am one of those who have declared that I will not be standing again, so this is my last opportunity to address my colleagues across the Chamber. I have been told by my daughter that I must do so. I would just like to take this opportunity to thank you, Sir, and all Members of the States with whom I have served since 2005. I have been here a long time. I cannot remember if it is customary for those Members who have declared that they are not standing to say a few words, but I would just like to say that over that time I have seen some characters in here, I have observed some controversies, and I have witnessed Members experience difficult times. But I am pleased to say though that all of the Members that I have served with have had at heart the best intentions of the Island and Islanders. So, as I take my leave of the Assembly I would like to wish all of the candidates in the forthcoming election the very best, and those who are returned to this Assembly, I believe they will continue with the tradition of serving the Island and Islanders and putting them in their hearts. So, I would like to say thanks and *adieu*. [Approbation]

**The Bailiff:**

Thank you, Connétable. Thank you very much indeed. Are Members content now to adjourn? The Assembly is adjourned until Liberation Day.

**ADJOURNMENT**

[17:42]