

Council of Ministers

(3rd Meeting)

5th March 2024Part A (Non-Exempt)

All members were present

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter, Chief Minister
 Connétable R. Vibert of St. Peter, Minister for Children and Families (for items A1-A4, B1-B3 and part of item B4 only)
 Connétable A.N. Jehan of St. John, Minister for Infrastructure
 Deputy C.F. Labey of Grouville and St. Martin, Minister for International Development
 Deputy S.G. Luce of Grouville and St. Martin, Minister for the Environment (for items A1-A3, B1-B2 and B4-B5)
 Deputy K.F. Morel of St. John, St. Lawrence and Trinity, Minister for Sustainable Economic Development (for part of items A2 and B1 and items A3-A4 and B2-B5 only)
 Deputy M.R. Le Hegarat of St. Helier North, Minister for Justice and Home Affairs
 Deputy R.J. Ward of St. Helier Central, Minister for Education and Lifelong Learning
 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter, Minister for External Relations (for part of items A2 and B1 and items A3-A4 and B2-B5 only)
 Deputy S.Y. Mézec of St. Helier South, Minister for Housing
 Deputy L.V. Feltham of St. Helier Central, Minister for Social Security
 Deputy E.M. Millar of St. John, St. Lawrence and Trinity, Minister for Treasury and Resources
 Deputy T.J.A. Binet of St. Saviour, Minister for Health and Social Services (for items A2-A3, B2 and part of items A4 and B3 only)

In attendance -

Connétable M.K. Jackson of St. Brelade, Representative of the Comité des Connétables (for items A2-A4 and B1-B5 only)
 Deputy C.S. Alves of St. Helier Central, Assistant Chief Minister
 Deputy A. Howell of St. John, St. Lawrence and Trinity, Assistant Minister for Health and Social Services
 Deputy M.R. Ferey of St. Saviour, Assistant Chief Minister
 M. Jowitt, K.C., H.M. Solicitor General
 L.-M. Hart, Greffier of the States
 Dr. A. McLaughlin, Interim Chief Executive and Head of the Public Service, Government of Jersey
 R. Bell, Treasurer of the States (for item B4 only)
 A. Scate, Chief Officer, Infrastructure Department (for items A4 and B3 only)
 C. Bown, Chief Officer, Health and Community Services Department (for items A4 and B3 only)
 R. Corrigan, Chief Officer, Department for the Economy (for items A3 and B2 only)
 L. Springate, Non-Executive Chair, Visit Jersey (for item B2 only)
 T. Warwick, Chief Executive Officer, Visit Jersey (for item B2 only)
 L. Darwin, Interim Chief People Officer, (for item B4 only)

S. Featherstone, Llewelyn Davies, Lead Architect – New Healthcare Facilities Project (for items A4 and B3 only)
J. Hardwick, Acting Our Hospital Director (for items A4 and B3 only)
D. Houseago, Group Director, Department for the Economy (for items A3 and B2 only)
R. Johnson, Associate Director, Health Policy, Strategic Policy, Planning and Performance Department (for items A2 and B1 only)
P. Bradbury, Head of Ministerial Office
A. Hamon, Senior Policy Officer, Strategic Policy, Planning and Performance Department (for items A2 and B1 only)
C. Kelleher, Culture and Heritage, Department for the Economy (for items A3 and B2 only)
H. Roche, Senior Secretariat Officer, States Greffe
K.L. Slack, Senior Secretariat Officer, States Greffe

Note: The Minutes of this meeting comprise Parts A and B.

Declarations of Interest.

A1. The following members of the Council made declarations of interest in connexion with item No. B4 of the current meeting ('Public Sector Pay') to the extent that they had family members who were employed in the public sector –

- Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter, Chief Minister;
- Connétable R. Vibert of St. Peter, Minister for Children and Families; and
- Connétable A.N. Jehan of St. John, Minister for Infrastructure.

It was also noted that this item would impact many of the officers attending the meeting of the Council.

Deputy S.G. Luce of Grouville and St. Martin, Minister for the Environment, was not present for the discussion of the New Healthcare Facilities (item Nos. A4 and B3) as he could ultimately be required to take a final decision in relation to the planning application for the developments.

Assisted dying.

A2. The Council, with reference to its Minute No. B5 of 20th February 2024, received and noted a paper, entitled 'Assisted dying – Report and Proposition', a draft Report and Proposition and an accompanying PowerPoint presentation, which had been prepared by Mesdames R. Johnson, Associate Director, Health Policy and a Policy Principal, Strategic Policy, Planning and Performance Department and welcomed them to the meeting.

The Council recalled that the States Assembly had adopted a Proposition of a previous Council of Ministers entitled 'Assisted dying' in November 2021 (P.95/2021 referred) and, in so doing, had approved the principle of assisted dying in Jersey on the basis that further details would be forthcoming. In developing the assisted dying proposals, previous Councils had consulted with the public, including Islanders with a disability, health and care professionals and key stakeholders and had held a series of workshops. An ethical review had also been undertaken by a panel of experts in order to provide a range of considerations across the principal proposals, rather than a definitive 'answer' and 4 briefings for Members of the States had been arranged.

The Council was reminded of the proposed eligibility criteria for assisted dying and recalled that there were 2 anticipated routes. The first where a person had been diagnosed with a terminal physical medical condition which was reasonably expected to cause their death within 6 months, or in 12 months where that condition was neurodegenerative, such as Parkinsons or Motor Neurone Disease (terminal

illness). Route 2 (unbearable suffering) was noted to be where an individual had an incurable physical medical condition that was giving rise to unbearable suffering that could not be alleviated in a manner that they deemed tolerable.

The Proposition, which had been prepared in consultation with the States Greffe, comprised 5 paragraphs, as follows –

(a) requested the Minister for Health and Social Services to promulgate primary legislation to permit assisted dying and to establish an Assisted Dying Service in Jersey, which would operate in accordance with the provisions and safeguards set out in the Appendix accompanying the Proposition. It also included the applicable eligibility criteria;

(b) related to route 1 – terminal illness;

(c) related to route 2 – unbearable suffering;

(d) afforded health and care practitioners the ability to refuse to directly participate in assisted dying on any grounds, including conscientious objection; and

(e) set out the minimum timeframe between the request for an assisted death and the facilitation of the individual's demise, which was noted to be 14 days in cases of terminal illness and 90 for those who were suffering unbearably.

The Council was informed that paragraphs (b) and (c) could be voted on separately and that, as a consequence, the Assembly could potentially adopt the first route to an assisted death and not the second. The format of the Report and Proposition reflected that used for the Government Plan, with the supplementary details contained within the Appendix thereto. It was confirmed that both the Proposition and the Appendix could be the subject of Amendments.

The Council was apprised of the indicative timeframes for lodging the Report and Proposition '*au Greffe*', agreed to lodge the same and noted that a final version would be circulated via electronic mail to Ministers.

Visitor
Economy
Strategy.

A3. The Council, with reference to Minute No. B3 of 10th October 2023 of the Council, as previously constituted, received a document entitled 'Changing perceptions, shaping the future. A strategy for the visitor economy', dated December 2023, which had been produced in collaboration with the tourism and hospitality industry and Visit Jersey.

The Council was informed that the strategy had been approved by the previous Council of Ministers and signalled its support for the same.

New
Healthcare
Facilities.

A4. The Council, with reference to Minute No. B3 of 27th June 2023 of the Council, as previously constituted, received and noted a Programme Update and Concept Design of the Emergency and Inpatient Hospital and welcomed the Acting Our Hospital Project Director and the Lead Architect to the meeting.

The Council recalled that it had been agreed to establish new healthcare facilities over several sites to afford flexibility and resilience. These included emergency and inpatient services to be provided at Overdale, outpatient and day theatre services at Kensington Place and a Health Village at the former St. Saviour's Hospital site, which would have capacity for rehabilitation and mental health care. The Enid Quenault Health and Wellbeing Centre at the former Les Quennevais School was

already operational and provided facilities for some services that had previously been located at Overdale. The Council was shown the projected timeframe for future works and noted that construction on the Overdale site was due to commence in 2025.

A concept design for the emergency and inpatient hospital at Overdale was shared with the Council and it was noted to be calm, relatively modest in size when compared with the previous proposal and welcoming. On the approach from Westmount Road, the building would appear to comprise 2 storeys, with the taller elements of the hospital incorporated further away from the surrounding community and in the valley. The building would include various, clearly signalled, entrance points in order to maximise access requirements and a flexible and modular design would be adopted in order to facilitate future proofing as clinical requirements altered.

The Council was informed that the central concourse of the hospital would comprise a reception area and promote information exchanges between clinicians and the public. It would be of a single storey design which had clear sight lines and would enable the maximum amount of daylight to enter, making use of a calm and natural colour palette. Inpatients were noted to be at the heart of the design and the bedrooms would be arranged to maximise the views of the coast and valley, thereby supporting health recovery. The Council was reminded that the hospital design had been predicated upon the input from many hundreds of clinical user groups.

It was noted that the houses and the bowling club on Westmount Road would be retained, with only moderate interventions required. Active travel would be routed through West Park using extant and slightly moderated infrastructure.

The Council noted the position and thanked officers for their hard work on the project.