

STATES OF JERSEY

OFFICIAL REPORT

THURSDAY, 11th DECEMBER 2008

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

ELECTION OF MINISTERS

1. Chief Minister Designate's Nominations

The Deputy Bailiff:

Now, as Members know, the sole matter before the Assembly today is the selection of Ministers and the Chairmen of various committees and panels so I begin by inviting the Chief Minister Designate to present the declaration that he delivered to the Greffier.

1.1 Senator T.A. Le Sueur (The Chief Minister designate):

In accordance with Standing Order 117(2), I have given notice to the Greffier of my nominations for Ministers for the forthcoming session of the States. They are listed on the paper there but I will read them out in the order in which I propose they be elected. For Treasury and Resources, Senator Philip Ozouf. For Economic Development, Senator Alan Maclean. For Planning and Environment, Senator Frederick Cohen. For Health and Social Services, Senator Paul Routier. For Home Affairs, Senator Ian Le Marquand. For Social Security, Deputy Ian Gorst. For Transport and Technical Services, Constable Michael Jackson. For Education, Sport and Culture, Deputy James Reed. For Housing, Senator Terence Le Main. I make those nominations.

The Deputy Bailiff:

Very well. The first nomination is in relation to Treasury and Resources candidates so I invite formally nominations for that position.

2. Treasury and Resources Ministry

Senator T.A. Le Sueur:

Senator Ozouf is no stranger to the role of Treasury and Resources, having been in the committee for years under the previous system and was my Vice-President bringing the Fiscal Strategy. I have pleasure in nominating Senator Ozouf.

The Deputy Bailiff:

Very well. Is the nomination seconded? **[Seconded]** Are there any other nominations for the position of Minister for Treasury and Resources?

Deputy J.A. Martin of St. Helier:

Yes, I would like to nominate Deputy Southern.

The Deputy Bailiff:

Deputy Southern. Is that seconded? **[Seconded]** Are there any other nominations? Very well, then. There will be a ballot and the position is covered by Standing Orders. Each Member will be able to speak for 10 minutes and then there will be questioning after that of each candidate. Now, the candidate who is not speaking must withdraw while the other candidate is speaking and being questioned and under Standing Orders, it will be Senator Ozouf who goes first, followed by Deputy Southern. So Deputy Southern, I invite you to withdraw to a position where you are unable to hear what is said while Senator Ozouf is speaking and being questioned. The Greffier will ring a bell after 9 minutes and then ring a second bell after 10 minutes and that will be rigidly enforced and the candidate will then have to stop speaking no matter where he or she is in their speech. Very well, Senator Ozouf.

2.1 Senator P.F.C. Ozouf:

The focus of the Minister for Treasury and Resources for the last 3 years has been the fundamental reform of our tax system. I believe the focus for the Minister for Treasury and Resources for the

next 3 years must be the reform on spending. The pressures are likely to be significant: demands for recurring expenditure for *New Directions* at health, skills training at Home Affairs, infrastructure at T.T.S. (Transport and Technical Services) and long-term care at Social Security, quite apart from the yawning hole in the maintenance budget, in total, potential resource demands on an annual basis of £20 million or £30 million. On the other side, possibly reduced income as a result of a deeper and more protracted international slowdown. This squeeze, at a time when it is clear that the public cannot and would not support any additional tax burden, a seemingly impossible position between a rock and a hard place but one in which the next Minister for Treasury and Resources is going to have to navigate a steady course in a sympathetic but robust manner. This calls for a Minister with States experience, and experience in managing Jersey's economy. I was a member of Finance and Economics and Vice-President for 3 years. I hope that I have a reputation for transforming departments. I can take tough decisions where necessary. When I took over at Environment and Public Services, it was a department and a committee in financial disarray. During my presidency, the department was taken from chaos to order. As Minister for Economic Development, I am proud to have led a successful team. Initially the only Minister that gave an Assistant Minister a meaningful role, I believe I have played a key part in positioning the Island to withstand the turmoil raging in the world at large. Under my leadership, we have boosted enterprise in all sectors of the economy. We have breathed new life into tourism. We have integrated harbours and airports, incorporated Jersey Post, set up Jersey Enterprise, protected locally based on-line retailers and championed dozens of new, innovative Financial Services laws, prepared for the I.M.F. (International Monetary Fund) and laid solid foundations for the potentially new, exciting intellectual property sector. This has been delivered with hard work. I was responsible for establishing the Public Accounts Committee and I understand its essential role in delivering savings and efficiencies throughout the public sector. I want to develop a new constructive partnership with the Public Accounts Committee and the Corporate Affairs Scrutiny Panel. The Comptroller and Auditor General has identified potential savings. Any organisation, I believe, is capable of achieving more efficiencies and I will work tirelessly with all Ministers and departments to help achieve them. I will give a new focus on procurement across the States, as I believe that there are significant savings to be achieved in the way that the States buy services. A key focus of the next 3 years must be to deliver G.A.A.P. (Generally Accepted Accounting Principles) accounting which will, for the first time, identify and reveal the true cost of service provision and the holding of States assets. The Treasury is also responsible for property, assets worth probably up to £1 billion, double the value of the Strategic Reserve. I believe that there is huge inefficiency and millions of pounds of backlog in maintenance. I want to rationalise, subject to States approval, the States property portfolio and release land for the delivery of new homes. One of the first jobs of the Minister for Treasury and Resources will be, of course, to review the contractual arrangements for the Esplanade Square. While I am supportive of the Master Plan, I will take the best advice and leave no stone unturned in reviewing the contract and reviewing the standing of the counterparties. I will commit to ensuring that this Assembly is presented with full information as it is informed to make a decision in the public interest. States utilities comprise Jersey Water, Jersey Telecom, Jersey Electricity, and it is the responsibility of the Minister for Treasury and Resources. Public assets worth hundreds of millions of pounds provide also vital services to Islanders and businesses. I believe we need to challenge these companies for better financial and non-financial returns for Islanders. I want to see a better system of accountability and transparency and just as the U.K. Chancellor has set up a body to manage the U.K. investment in its nationalised banks, I want to set up a non-political board to manage these holdings. I want this board to challenge Jersey Water, to deal with the unfair problem of water rates, to plan and support the J.E.C. (Jersey Electric Company) strategy for the third interconnect. I opposed the sale of Jersey Telecom at the time, as I was not convinced that sufficient protection had been given to the Island's essential telecommunications infrastructure. Affordable data is the key to all of our prosperity. Our future is a technology-driven Island with probably, I hope, fibre optic cables delivered to all businesses and homes. Those are the kinds of non-financial issues which I would

wish this board also to consider in the public interest. There has been a huge focus in recent years on tax. We now have G.S.T. (Goods and Services Tax) and while a debate on exemptions is absolutely inevitable, the main body of the tax, I believe, is settled and working. G.S.T. and the other measures in the Fiscal Strategy will make up the deficit caused by the changing corporate tax which, although driven by external requirements, has also coincidentally been timely as corporate tax revenue is falling around the world. I will commit to find an equitable solution to the foreign-owned business conundrum, either through a property or other business charge. The housing market is a key store of value with thousands of transactions over the years. I will monitor very carefully the transaction volumes in the housing market and consider what stimuli should be put in order to keep the housing market going, including reviewing stamp duty and particularly stamp duty on mortgages. I would propose to appoint Deputy Noel of St. Lawrence as my principal Assistant Minister and believe that he would bring a great deal to the team at the Treasury. There will be new resources that will come with the appointment of tax advisers. My aim will be to maximise tax collections from corporates and higher incomes. I am also prepared to review the 1(1)(k) policy. More than that, I would like to deliver a strong partnership with the Minister for Social Security and his Assistant Minister. I believe that there is a great deal to review in supplementation and driving efficiencies, particularly between the collection agencies of Tax and Social Security. I am proud to have conceived the concept of the Fiscal Policy Panel. I am prepared to take advice from the F.P.P. (Fiscal Policy Panel) in preparing for scenarios of different levels of potential downturn and the use of the Stabilisation Fund for the economy. I will do everything to ensure that the economy of Jersey continues to thrive and people are kept in jobs. I believe I set out briefly my policies as Minister for Treasury and Resources and I hope Members will agree that I have the necessary experience, commitment and ability to be worthy of Members' support. Thank you. **[Approbation]**

The Deputy Bailiff:

Very well. There is now provision for questioning for 20 minutes.

2.1.1 Deputy T.M. Pitman of St. Helier:

With his championing of G.S.T., the previous Minister for Treasury and Resources' attitude to those who can no longer afford bread appears pretty much to have been "let them eat cake" instead. Given the Chief Minister designate's promise of a new and more inclusive Executive, if elected, could Senator Ozouf tell us whether he will be sympathetic to proposals of absolutely essential exemptions on food and fuel which I sincerely hope the Deputy of Grouville will bring back to the House or possibly at least another 20 of us. Could he just clarify that matter for us?

Senator P.F.C. Ozouf:

I believe that we have had a debate on G.S.T. numerous times in this Assembly and the debate on G.S.T. is a settled one. I recognise that there are many Members in this Assembly who have stood on an election platform to remove exemptions. That is a debate which needs to happen on the floor of this Assembly. Certainly I will give the information from the Treasury of all the information available realistically and honestly of what the options are. This Assembly has, however, targeted money to people on low incomes. I do not agree with Deputy Pitman in relation to his unfair comments about not caring about people on low incomes. People on low incomes are our top priority and will continue to be my top priority in discharging the duties of Minister for Treasury and Resources.

2.1.2 Deputy D.J. De Sousa of St. Helier:

What guarantees can the Senator give that if the economy really does slow down, as expected, that he will not raise the rate of G.S.T.?

Senator P.F.C. Ozouf:

I can give the Assembly a categorical assurance that I will not bring proposals to increase G.S.T. We have created the Stabilisation Fund and this Assembly has agreed to put some £120 million to £140 million. That is the Fund that will enable us to take the economy through difficult times and I will have no hesitation in preparing scenarios for a downturn to keep Jersey people in jobs and our economy thriving. Unlike most other jurisdictions, we have the wherewithal to do that.

2.1.3 Connétable J. Gallichan of St. Mary:

On Monday, the Chief Minister designate spoke of possibly accelerating the maintenance work on States properties. Can the candidate convince me that he is not simply a numbers man and he will take into consideration social benefit of properties and not merely their monetary worth when he targets the funds for redevelopment and/or refurbishment?

Senator P.F.C. Ozouf:

Comments have been made about a number of accountants in the States and I did do the first 3 parts of my accounting examinations but I was told at Business School that I needed to become an accountant to calm some of my other business ideas, and so I hope that I bring a number of skills to that. She raises a very important issue about States property. I think that there are social issues about States property. I think that we are wasteful in the way that we occupy States property and there is an enormous job of work to be done to make better offices and better facilities for our staff. We can rationalise that portfolio and I believe that we can release much needed land to boost affordable housing supply but certainly decisions about disposals will be taken by this Assembly and I will do my best, if elected, to present the Assembly with all of the different options, whether they be financial use or not-for-profit social use too.

2.1.4 Deputy R.G. Le Hérissier of St. Saviour:

The candidate has a reputation for having been part of the 'growth perhaps at all costs' group. Would he indicate, given the fact we are entering a very different world and given his hyperactive attitude - much praised, I should add - to issues, how is he going to take a calmer attitude and a more considered attitude, given that he is in a department that does not rely on the same skills he was using previously?

Senator P.F.C. Ozouf:

I have been fortunate to discharge the responsibilities of a number of different departments and some people have made comments about the fact that I have been an enthusiastic Minister for Economic Development supporting business and that is what Members would expect me to do. I believe we have delivered growth. I do not believe that we have delivered it as some Members and some people have said simply by delivering population increase. We have delivered more jobs for local people than at any time. We have positioned Jersey into the best place on a rising economic tide and we have fortified our financial resources. I will bring a different skill to Treasury and Resources. I realise this and engagement is needed for all departments. We have some challenging times but it is only by giving Members full information, sharing information with States Members, that we can make informed decisions of the trade-offs of the different services and the challenges on funding. I am very clear that the public does not want to see any more taxes and that means a challenging discussion about where we find resources for health and all the other areas.

2.1.5 Deputy K.C. Lewis of St. Saviour:

I am sure Members are aware of the news regarding F.W. Woolworth and I am sure the Minister will agree there are challenging times ahead. What action is the Minister going to take, in consultation with the new Minister for Economic Development, to protect local business and protect local jobs?

Senator P.F.C. Ozouf:

I think that is principally the role of the Minister for Economic Development. I know that we have already been in discussions with the proprietors of Woolworths and it is a much admired, much loved store in Jersey. We will do everything we can to support that and if there is anything that the Treasury needs to do in fortifying and assisting the Minister for Economic Development with additional resources in Jersey Enterprise, then we will do so. The Stabilisation Fund is there to support businesses through difficult times and we have the resources to do it.

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

The Senator mentioned that he was responsible for establishing the Public Accounts Committee. He also said that, if elected, he would develop a new constructive relationship with P.A.C. (Public Accounts Committee). Will he advise the House whether he feels that the relationship that the former Minister for Treasury and Resources has had with the P.A.C. was not constructive and how he would go about building this new relationship?

Senator P.F.C. Ozouf:

As Vice-President of Finance and Economics, I used to sit on the forerunner to the P.A.C., the Audit Commission. Many thoughtful, I thought, well-constructed reports were made on spending and they never seemed to get the traction that they deserved in terms of States approval. I offer no criticism to the Minister for Treasury and Resources in his relations with P.A.C. I think the problem with the P.A.C. has been the relationship between the Council of Ministers as a whole and the P.A.C. The P.A.C. has set out the Comptroller and Auditor General's comments on spending and I want to understand, I want to discuss with the P.A.C. how to implement that. The Comptroller and Auditor General is now maturing in his role. I think he is providing excellent information to the Assembly and it is information that we as an Assembly need to take on board in order to drive efficiencies. I believe all departments, not-for-profit businesses, and our own households, can deliver efficiencies. There are also opportunities to do things better and the P.A.C. can help us, and that is what I want to do by engaging the P.A.C.

2.1.7 Deputy M. Tadier of St. Brelade:

I just wanted to try and pin down the candidate on his opinion. He said that he is prepared to review changes to review the 1(1)(k)s but I would like to know, would he be prepared to change the 1(1)(k) policy and with that in mind, if that is the case, does he part company with our good Chief Minister when he says that it is immoral to tax 1(1)(k)s more?

Senator P.F.C. Ozouf:

I do not believe that the former Minister for Treasury and Resources said that it was immoral. I certainly know Senator Le Sueur very well and I know that that is not the kind of thing that he would say and maybe there has been a misinterpretation there. I understand the public concern and I understand Members' concern about 1(1)(k)s. I understand the very difficult issue of 1(1)(k)s that were granted access to the Island a number of years ago. I am not going to make any promises about what I would do with 1(1)(k)s but I want to understand it, I want to review it, and I want to have the best brains applied to that. 1(1)(k)s provide tax that we do not have to pay. That is important but we must also be sensitive that they are paying an appropriate amount of tax. I have said I will review it and I will.

2.1.8 Senator S.C. Ferguson:

The Comptroller and Auditor General made suggestions for improvement and savings in his spending review and the Public Accounts Committee amended the Business Plan requiring the Treasury to take the lead in bringing forward an action plan to implement the suggestions. Will the Senator indicate the priority he will give to this?

Senator P.F.C. Ozouf:

I have all of the Comptroller and Auditor General's recent reports here. They were top priority. They identify savings. Some of them are difficult to politically deliver but the current Chairman of the P.A.C. has my absolute assurance. I have said that I believe that all of the energy that has been directed towards tax in the last 3 years is going to have to be directed towards spending and engaging with the P.A.C. Getting good advice is the key to delivering that. It will be one of my top priorities.

2.1.9 Senator A. Breckon:

In his opening speech, Senator Ozouf mentioned property holdings and possible release towards housing and also elderly care. Would he support and indeed give priority to schemes, say, on South Hill or Overdale and perhaps give the House some indication if he would and he would consider methods of funding?

Senator P.F.C. Ozouf:

I think that, for example, the Health Estate certainly has a huge property portfolio which we must harness towards delivering a health care system for the future. We do need to provide for the ageing population and I think that there is a constructive positive debate that could be had about assets within the States, whether they be Overdale as far as being a centre for senior citizens' accommodation or lifetime homes. We want to see, for example, the St. Saviour's development having an opportunity for people going into homes and seeing them right the way through to the end of their lives. I believe that people need to be able to stay in their homes for as long as possible in the twilight of their lives and be given all the assistance, whether it be family nursing and home care or other agencies, to allow them to do that. That is possible in areas like Overdale and that is exactly the kind of comment that the Constable of St. Mary was, I think, alluding to, that we need to have an eye to the social issues and the social opportunities that are States property, not simply a financial return.

2.1.10 Deputy P.J. Rondel of St. John:

The Senator mentioned that real money will be invested in the infrastructure of the Island. At present, we are using sticking plasters on areas that need major surgery. Can the Senator give us some indication of the £20 million to £30 million he spoke about, is that going to be a year-on-year investment or will that be for the 3-year period to be covered? As you know, highways, the liquid waste system - which is some 150 years old - all these areas need to be properly invested in and could we have some response, please?

Senator P.F.C. Ozouf:

The maintenance budget is the amount of money that would be required if we kept the property portfolio of the States in its current size and that is simply unaffordable. We are going to have to rationalise. My own department at Economic Development, I think operates under 7 offices across St. Helier. That is not sensible, that is not good working. We have staff working in inappropriate premises. If we kept the Estate as it is, we would need £20 million. We do not want to spend the £20 million. We need to rationalise the States property portfolio in order to be able to get the maintenance amount of money appropriate and affordable and we need to release property in order to do other things, financial returns or social benefits. The Deputy cares very strongly about extension of the public sewer network and infrastructure and I have to say that he is right. I believe that we need to find a solution to the inequitable arrangement where people on tight tanks pay £4,000 to £5,000 a year to empty their tanks and yet public sewer connection is free. I see a possibility of working with Jersey Water - controversial but nevertheless I think something we must discuss - to increase, for example, the water rates and water rates are unfair at the moment across the Parishes. Some Members will know my concerns on that. A small supplement on the water rate may well deliver the opportunity of extending the public sewer network and, of course, the new

T.T.S. Minister will need to be robust in his application for funding for vital infrastructure. We have done a lot in the last few years but there is more to do.

2.1.11 Senator S. Syvret:

Senator Ozouf, in his speech, mentioned on at least 2 occasions that he believed in all information being made available and examining all of the options. I take it from that, then, he has changed his mind from 2004 when he was rabid in his opposition to a major report and proposition I brought forward called Taxation Policies: A Transparent Inquiry. Given that he has now changed his mind and he does, in fact, favour the examination of all options and all information being made public, will he now support that proposition when I bring a revised version back in the New Year?

Senator P.F.C. Ozouf:

No, I will not, because I believe that the fiscal strategy options were considered. There could be reports from the bottom of your desk to the top of that railing in terms of the different options of taxation by consultants, whether they be PwC (PricewaterhouseCoopers) or Oxera (Oxford Economic Research Associates). This Assembly debated at length options for taxation and I understand the difficulty that we all face with G.S.T. but it was the least of the worst options available in the necessary reform of our taxation policies. So, yes, transparency, but yes, honesty too in relation to what has already been done. That debate has been had. G.S.T. is in. It was the best of the least worst options but can we maximise other taxation streams? Yes, we can, and I will continue to identify solutions, for example, to the foreign-owned taxation issue.

2.1.12 Deputy S. Pitman of St. Helier:

If elected, will the Minister assure the States that we will not go into agreements with housing trusts whereby we will be paying interest on their development loans?

Senator P.F.C. Ozouf:

I believe that housing associations have provided hundreds of units of affordable homes in the rental sector. I am afraid that this is one example where we need to have an honest information exchange about what we are doing here. We have provided underwriting for some housing associations which has meant us being able to deliver those hundreds of affordable homes in a way that we would have never done on the public sector balance sheet. I would happily sit down with the Deputy and explain how housing associations are beneficial in delivery of many affordable homes. I believe associations will work and they will continue to get my full support. It does not make sense, however, for associations to be going out and borrowing money when there is money on the States Strategic Reserve and we can get them a better interest rate with some sort of guarantee given to the association. That is how we deliver better value and I am sure the Deputy would agree with me that we need to continue to support and include and have more affordable homes for our Island community.

2.1.13 Deputy J.A. Martin:

Just a comment. I think our interest rate we are locked into with the trust is 8 per cent and that has really gone down in the real world. My question is again to the caring, not the accounting part of the Senator. He has given 2 answers, once on the hustings and once in the debate on the budget. '20 means 20' is really hitting the people out there. Will he look again at the mortgage interest relief? It is going to lose one-fifth over 5 years. It is too much too soon. Will the Minister promise to look at this and revise it over a longer period?

Senator P.F.C. Ozouf:

Just to add one very simple thing about housing associations. This Assembly and the States has the ability to take out the resources on housing associations.

The Deputy Bailiff:

I am sorry, Senator, you must answer the question that has now been asked. That bell indicates that there are 3 minutes to go.

Senator P.F.C. Ozouf:

I will review the issue of '20 means 20.' Last night, I sat down and I tried to work out exactly when '20 means 20' hits-in. I think we have a communication issue with income tax to explain to people exactly what their tax bill is. They have seen their allowances go down but I do not think we have communicated marginal relief. We have a job of work to explain to people exactly when '20 means 20' hits and I am fully prepared to review the issue of '20 means 20' going forward but the Deputy of St. Ouen's proposal last week would have affected people next year and I am prepared to look at it this year in order to see whether there is an unfairness in it. From what I have seen so far, I cannot see that there is the problem that some people believe that there is but that requires good information and good communication.

2.1.14 Deputy D.J.A. Wimberley of St. Mary:

I think I heard the candidate mention the mantra "no new taxes". Correct me if I am wrong but my concern is that we need not only to protect people on low incomes - his commitment to which I welcome very much - but also we need to protect the environment as an absolute and I would welcome his comments on whether he is going to introduce environmental taxes and switch the tax burden towards protecting our environment?

Senator P.F.C. Ozouf:

The Deputy is absolutely right to point out the importance of environmental taxes in changing behaviour and certainly there should be no new taxes other than those that the Assembly has already agreed and we have agreed some form of environmental taxes which change economic behaviour but that is something that this Assembly is going to have to consider. I personally think that we did not make the right decision in relation to the removal of V.R.D. (Vehicle Registration Duty) on vehicles. I do not believe that that was environmentally sensible and I do not believe that consumers necessarily have benefited from cheaper cars. The car industry is something that I would look at and I will work with the Minister for Planning and Environment to achieve change in behaviour with a strong regard to the environment.

2.1.15 The Connétable of St. Brelade:

In answer to the Deputy of St. John, the Senator alluded to the fact that there was a need for more funding for T.T.S. and he indicated that an application from a future Minister for T.T.S. would be dealt with. Could he confirm whether he would be sympathetic to an approach from a future Minister for T.T.S. for more funding? **[Laughter]**

Senator P.F.C. Ozouf:

There is a capital pot available on an annual basis for capital spending and we must ensure that that capital pot is allocated appropriately and this Assembly makes... but the potential Minister for Treasury and Resources will, I hope, engage with all Ministerial colleagues so that he understands what their revenue expenditure requirements are and capital and we make the appropriate balance information.

2.1.16 Connétable A.S. Crowcroft of St. Helier:

Very quickly, should the States pay rates? **[Laughter]**

Senator P.F.C. Ozouf:

Ideally, yes, because there is an unfairness ... **[Laughter]**

The Deputy Bailiff:

Very well. I now invite Senator Ozouf to withdraw and would ask that Deputy Southern be invited to return. While we are waiting, can I just remind Members of the need, particularly in this present sitting, of keeping one's questions as concise as possible. Standing Orders so say, but a number of Members wish to ask candidates questions and long questions preclude others from asking, so keep your questions concise, please.

Connétable D.J. Murphy of Grouville:

Might I just ask a question on a point of procedure? Now that we have the largest party in the States facing us here [**Laughter**], do you think that, in fact, questions may be rationed now so that they only get their fair share? [**Laughter**]

The Deputy Bailiff:

No, we do not wish Members to speak to each other across the floor. Now, then, I invite Deputy Southern to give his speech. [**Laughter**] I apologise, yes.

2.2 Deputy G.P. Southern of St. Helier:

I notice the warfare started before I entered the room which is always welcome. Let battle commence. Right, there will be some Members of the House who will wonder why I have the temerity to put myself forward as a candidate for Treasury and Resources and I do so for 2 reasons and it is about democracy; the democratic principle both inside and outside the States. That principle is that no one today should be standing unopposed. There should be no passing of any baton to the heir apparent. I know that mixes the metaphor but it is an interesting thought if you visualise it. Especially from a politician who gave the word "consultation" a completely new and disappointing meaning, who says: "We will consult at length and we will come to the conclusion that we thought of in the first place over G.S.T." A man who also gave us that awful phrase "the least worst alternative" and I shall try not to use it. I hope my predecessor - the other candidate - did not use it in his speech, though I suspect he may have done so, and in fact, if I was in the bookies, I would have done a treble. He would have used the words "stability" and "smooth transfer" as well. I do not know if I want my treble, but certainly I bet he said "least worst alternative". From a politician who gave us "least worst alternative" to a politician who embodies the living embodiment of the word "spin". There should be no anointment. There should be no appointment. There must be an election for every position for Minister in this House. That is why I am standing, because like it or not, I appear to have some confidence around numbers and I appear to have some understanding of taxation principles and be able to handle them. So like it or not, I appear to be the best candidate to propose an alternative way forward. Make no mistake. A vote for me today is a vote for change. It is not about more of the same. So, democratic, to make a connection between what has happened outside - the votes outside this House - and policy taking place. Between 8,000 votes for 5th place and 7,000 votes for 7th place out of 6. A candidate to represent the 19,500 voices not heard over G.S.T. A voice for all small retailers and other businesses who see their livelihoods disappearing in G.S.T. administration costs or, worse still, on to the net. A candidate for the position who is committed to the removal of G.S.T. and its replacement with fair taxation. G.S.T. can be removed and replaced by fair alternatives. G.S.T. in fact must be removed and replaced. It can be done. I am talking about fair tax for the low paid, fair tax for middle earners, fair tax for the wealthy, fair tax for small businesses and fair tax for big business. For example, the removal of the ceiling on Social Security contributions would raise around £30 million alone. All employees paying 6 per cent and employers paying 6.5 per cent across the board. That is a fair tax policy. 1(1)(k)s could be made to pay a greater contribution, a greater share of the £30 million. Theoretically they should be contributing a move away from the £8 million. Land Value Tax, an alternative not examined and barely recognised by the ex-Minister for Treasury and Resources. Land Value Tax could be used as a measure towards doing some of that. That would be not only not immoral, in the words of the current Minister for Treasury and Resources or the previous Minister for Treasury and Resources, it would be fairer tax. '20 means

20' could also go with a small increase in Social Security rates, and they could be targeted by the top end also. Economic growth as a means of replacing taxation revenue is less certain and I make no predictions about that until I see the figures and projections. What did we see in Senatorial elections? We saw 2 candidates elected with a policy against G.S.T. on food: one totally against G.S.T. and 3 for G.S.T. including food. No clear direction there. Are we to start with a defeat on G.S.T.? I firmly believe that this House will vote to exempt G.S.T. from food in the very near future. If it is not brought by a Back-Bencher, it should be brought by the Minister for Treasury and Resources in a manageable way. I commit myself to do that. The new Chief Minister has said that he wants to be inclusive and reach out for consensus. His choices, especially this one that I am contesting, say otherwise. He talks about a parliament for the people. He says he has a coherent vision for fiscal policy. What have we got? Coherence? No. We have got Billy Bodgit at work. Zero/Ten now needs the Blampied proposals which will not work and will be rejected by Treasury as simple tax avoidance. G.S.T. now has exceptions. It is no longer a simple tax. It will get more exemptions. As a consequence, we have got tax changes, a G.S.T. food bonus, income support, additional payments: all an extra admin burden. It is not efficient. We are taxing people and giving some of it back. What we have not had is the boundary between taxation and benefits and the relative poverty line carefully examined. It has been ignored while we bodged a few cheap fixes here and there to make the system work. What can we expect raising money? Well, we almost sold off one of our utilities. We nearly sold J.T. (Jersey Telecom). The purchaser at the time was likely to be private equity. Can you imagine the situation today if that had happened? A heavily leveraged company taking over J.T. Where would we be now? That was prevented. In the future, we should have a policy for selling off the utilities. Can we be serious? Are we going to sell off the crown jewels? We should not. A rational sale of some States property but not the giveaway on the Waterfront for some regeneration cash. We have had economic growth driven by immigration growth. Unsustainable and unworkable. Do we want more of that? Because more of the same will mean that. Will we have well-researched and reasoned tax policy or will we have - like the third supermarket - argument, blind faith, driven by inappropriate competition policy which does not work in a small community? Will we have more exercises like Imagine Jersey 2035, grow the population and work longer the only realistic options examined? Where were the tax alternatives? Where were the tax and contributions? They were not done. Let us be real. If we are to solve that problem about the ageing population, we will need tax changes and social security contribution changes. Let us grasp that real hard metal and meet it. But no, those are too difficult, so we are not represented. I do have some understanding of taxation matters. I believe I am the best candidate to present the alternative, and finally, I address the issue, because it will be raised, I am sure: will the banks pull up and decamp *en masse* if faced with a new face that was unexpected? I believe not. Instead, the Institute of Bankers and I.o.D. (Institute of Directors) will be pleasantly surprised, like their colleagues at the Chamber of Commerce, by a Minister for Treasury and Resources if you vote for me who has strongly-held principles but is open to discuss alternative approaches and to compromise in seeking solutions which meet the principle of fair taxation for all, including the big banks. Please vote for me as the alternative for change.

The Deputy Bailiff:

Very well. So then we move to questions, and I invite questions of the candidate. The Connétable of St. Helier.

2.2.1 The Connétable of St. Helier:

When the Parish of St. Helier recently attempted to change from a final salary pension scheme to a defined contribution scheme in recognition of the problem with the existing States scheme, the Deputy criticised the Parish for not doing it in a joined-up way with the States of Jersey. If elected Minister for Treasury and Resources, will he launch a joint investigation of the sustainability of the current pension scheme and come up with alternatives in consultation with staff?

Deputy G.P. Southern:

Given the many rumours and indeed the facts around the final salary pension schemes, it would be obviously quite an urgent job to start that review in the immediate future, but the key, as always - because this is a relationship between employer and employee - is to do that by agreement, by negotiation with the representatives of the workers involved. That is the key to any progress on this. We have to bring the workers with us. We do not want confrontation. We have to negotiate future scenarios that are acceptable to all: both employee and employer. That is the approach I would take.

2.2.2 The Connétable of St. Mary:

I would be grateful if the candidate could outline his criteria for deciding how the property maintenance project will be allocated.

Deputy G.P. Southern:

With difficulty, because I have not researched, as perhaps you might have wanted me to, that particular aspect. I am aware of the general thrust but I do not have a way forward that is researched and ... what was the word the Member used?

The Connétable of St. Mary:

I asked the criteria for deciding how it would be allocated.

Deputy G.P. Southern:

I do not have a criterion for the allocation.

2.2.3 Deputy P.V.F. Le Claire of St. Helier:

I think it is important we have had this election, and I thank the candidate for that. Global revenue from tidal and wave power has been estimated at £90 billion to £160 billion annually. With the best resources within the Channel Islands, if elected, what would the candidate do to urgently position Jersey for a place in this exciting new industry?

Deputy G.P. Southern:

I note the word "urgent". I do not see tidal power as a matter of urgency. It takes place in a list of priorities. Obviously we have already developed some expertise within the confines of the subgroup of Jersey Electricity, yes, and we would need to develop that, but I do not see that particularly as an urgent priority. We will have far more urgent matters to deal with in terms of coping with what may turn out to be a recession or a slowing-down in the economy generally and our tax revenues as a result, but certainly it is an issue that does need addressing but I do not see it as an urgent one.

2.2.4 Deputy J.A.N. Le Fondré of St. Lawrence:

Does the candidate agree that by introducing what is effectively a payroll tax, he will be increasing employment costs, decreasing competitiveness with other jurisdictions, and that any increase in social security rates will not raise any income from those who only receive and live off investment income?

Deputy G.P. Southern:

This is the argument that was trotted out 3 to 5 years ago over G.S.T. The fact is that any form of taxation, whether it is G.S.T. or otherwise, takes money out of the economy. Where you take it out and how you take it out is the key. It is described in the popular phrase as a tax on jobs. All taxes effectively are taxes on jobs in the sense that they take money out of the economy and therefore will be reflected in pay and in resources. So I do not regard it as unviable alternative. The fact is that you take off the cap to social security contributions and what you do is produce a proportional straight-line graph between earnings and tax. Everybody pays 6 per cent. Currently some of those

earning high salaries of the order of £90,000 to £100,000 are effectively paying 1 per cent tax, and that is the reverse of what it should be. That is an unfair situation. We could correct that and have that 6 per cent go right the way up to the top. That is proportionate. It is not even progressive. It is proportionate taxation. That is what it should be.

The Deputy Bailiff:

Deputy, I must ask you to be a bit more concise on your answers because a lot of Members want to ask you questions. Senator Breckon?

2.2.5 Senator A. Breckon:

Deputy Southern has not mentioned property holdings and a subject that was recently raised was a possible surplus of 20 per cent office accommodation and the indication that that could provide housing. Would he give the House an indication of whether he would support such a scheme and perhaps give priorities to a scheme like the South Hill/Overdale with elderly care at the centre of that and, if so, how would you propose to fund it?

Deputy G.P. Southern:

Yes, I did say in my speech that a rational and well thought out disposal of States-owned property should be undertaken, and that funding should be, I believe, recycled into projects such as he is talking about, about a revamp, a refurbishment and renewal of such facilities as Overdale.

2.2.6 Senator S.C. Ferguson:

In the spending review by the Comptroller and Auditor General, there were suggestions for improvements and savings, and the P.A.C. and the Business Plan required the Treasury to take the lead in bringing forward an action plan to implement the suggestions. Will the candidate comment on this and indicate the priority he will give to this?

Deputy G.P. Southern:

The questioner knows full well what my opinion of this is because we stood on a platform together and we had a differing viewpoint on the C.A.G. (Comptroller and Auditor General) report. The C.A.G. report was presented by the Senator as being a hit list that could be just picked off, one after the other. That is not the case. The Comptroller and Auditor General stated very clearly in his report that these were very politically sensitive issues and, in some cases, one would be politically inept to take them on. So there is no easy solution provided by the C.A.G. They are accountant's eye views and not politically necessarily viable cuts to be made, and I would be very cautious about engaging with most of those.

2.2.7 Deputy S. Pitman:

If elected as Minister for Treasury and Resources, how does the Deputy see the future relationship between housing trusts and the States?

Deputy G.P. Southern:

We have an unacknowledged hidden debt we are subsidising and funding the housing associations, an off-balance sheet situation there. Unlike the current Minister for Housing, I believe there is still a role for the States to play in social rental housing, and I believe we should be taking that up again and building for social rental. Housing associations, I believe, were a way forward but are no longer relevant.

2.2.8 Senator P.F. Routier:

How would the candidate address the issue of wage negotiations?

Deputy G.P. Southern:

Again, let us come away from the simplistic solution that what we must do is control inflation and the only weapon is that of wage restraint. That is being presented as the solution to our problem. We have put a step change into inflation, and the Minister for Treasury and Resources keeps saying that this will work its way out, come June of next year. It will work its way out of the R.P.I. (Retail Price Index), the rate at which inflation increases. It will not work its way out of prices. That step change is there and it is permanent. Everyone knows - any worker knows - that they are paying out more now than they were in the past. What happens when you try and impose wage restraints on people is that you might succeed in the first year, in the second year, but inevitably, sooner or later, the employees play catch-up, and they do not forget and they have claims going back 3 years: "We lost out there." The resentment builds. Sooner or later, that gets reflected in wage outcomes. So this simplistic wage restraint will keep inflation down. It might do temporarily, but inevitably it will lead to further inflation. So we can play hardball now, but later on we will pay for it.

2.2.9 The Connétable of Grouville:

It has been established for some time now that the shortfall in road spending has been about £30 million. This, of course, is an appreciating asset as we go on and it is still not being kept up-to-date. How would he fund T.T.S. in order to achieve a complete renovation of our roads?

Deputy G.P. Southern:

Any spending has to be paid for by taxation. I have not applied my mind to the thought of what particular bit of taxation should be devoted to roads. I accept the situation and certainly the £30 million is probably by now an underestimate. There is substantial infrastructure work that needs to go into our roads, along with many others. Where that taxation comes from, I do not know, but somehow, over the next 5 years, next decade perhaps - because it is long-term planning - we need to find that money.

2.2.10 Deputy I.J. Gorst of St. Clement:

Can the candidate confirm that he has read the Comptroller and Auditor General's 2 independent reports on the States pension scheme, and if so, how does he square those findings with the answer he gave some moments ago to the Connétable of St. Helier?

Deputy G.P. Southern:

Very easily. I have read them and indeed talked to the Comptroller and Auditor General - the C.A.G. - about those results, and indeed, as he says, there is a problem in the sense that where we have links with the U.K. (United Kingdom) and the U.K. supplies, for example, our trained nurses and our trained teachers, we have to maintain that clarity. So I would not be going in negotiating that bit because I believe the C.A.G. correctly pointed out that if you start separating from the U.K. conditions, then the likelihood is that your supply of teachers and nurses and other professionals will just simply dry up overnight. So we have to be very, very careful around that.

2.2.11 The Deputy of St. John:

In part, my question has already been put, but I will put the remainder anyway and I will include that. Highways are in real need of investment and that has been covered, but likewise, our liquid waste system and our sea defences, *et cetera*, are all in need of reinvestment. The infrastructure of the Island, under the current budget for 2009, is something like £5 million or a bit less than. How would the candidate be looking at putting proper investment in place so that T.T.S. in fact can operate efficiently?

Deputy G.P. Southern:

Again a "how" question which is difficult to say how you would do it. Nonetheless, I accept the premise that the Deputy has just proposed, that this is one of the problems that we have had. The most striking example is with the incinerator chimney where we have not reinvested, we have not put aside in order for the 30-year span to be catered for. We must find a way of doing that so that

wear and tear, which is going to happen, and obsolescence is catered for. We have to set up a system that does that.

2.2.12 Deputy D.J. De Sousa:

In the light of the current global financial climate, does the Deputy think it is wise to rush into a huge financial commitment at the Waterfront and, in particular, the sinking of the Waterfront road?

Deputy G.P. Southern:

Priority would be to the economic and financial assessment of Harcourt itself. I believe that the company, given the downturn that we have seen, particularly in Irish and U.K. property prices and rental values, will have severely dented the possibility of them completing this report. Having said that, the entire case for the Waterfront as proposed, I think, rests on very shaky ground and I would be very cautious about proceeding any further with that development at this stage.

2.2.13 Deputy R.G. Le Hérisier:

Given we may well be entering a period of shrinkage in the economy, could the candidate tell us, with the possible drying-up of traditional tax sources and increased burdens put upon the social services in such a situation, how would he rebalance the tax system in such a situation?

Deputy G.P. Southern:

I believe the rebalancing has to be done in a fair way. That means that G.S.T. has to go and be replaced by other taxes. Now, in a period when economic growth is not certain, one cannot rely on economic growth alone. If one did anyway, one is faced with the immigration problem, so we do not solve anything anyway. So the rebalancing has to take place. I have mentioned 2 new taxes or changes. One is the social security contributions, and perhaps we need to examine the rate as well as the ceiling, and the other is Land Value Tax, again completely unexplored but it could be a generator of the order of £10 million to £15 million. So we do have the capacity to do that. It needs the political will to re-examine what has become written in stone.

2.2.14 Deputy T.M. Pitman:

The Chief Minister has stated consistently that he is committed to progressive taxation. Obviously he has got a lot in common with the Deputy, so if elected, what would the Deputy's priority be to make this a reality?

Deputy G.P. Southern:

In the longer term and in the context of an ageing society, we have to re-examine our commitment that we have had in the Walker years, absolutely rock solid, to a 20 per cent tax rate. We have to look at the possibility, and I am not saying we move to it tomorrow, of higher tax rates at higher earning.

2.2.15 Senator T.A. Le Sueur:

How would the Deputy demonstrate his ability as a member of the Council of Ministers to be a good team player?

Deputy G.P. Southern:

I refer the Chief Minister to my team on Scrutiny. A happier, more smiling bunch you have yet to meet, and, more importantly, we have a laugh, but my God we work hard. Anyone who comes before us knows that they are in for a testing time. We do not have tea and biscuits. We have good Scrutiny sessions and we work together extremely well, I believe, and I think all 4 of them would back me up on that.

2.2.16 Deputy D.A.J. Wimberley of St. Mary:

We have had a lot of emphasis on taxation but not much on savings, and there are some obvious savings to be made on the incinerator, on the bus service - the subsidy - the subsidy to rents and supplementation. So I would like to ask the candidate for his comments on those savings to be made.

Deputy G.P. Southern:

Obviously I think there is something like £60 million plus and still rising on supplementation, absolutely, and I am committed to doing something about that. That is the biggest hole. On rental subsidy, we are in a bit of a bind because the fact is that in order to live in this Island, it is very difficult to meet the rental levels that are set. It does need examination. We are about to make some radical changes based around rents in October next year. We have protected income support levels for a considerable period, I believe to avoid the election period, and what we will see is a severe impact on some of our relatively poor families in October next year. It is a very difficult situation.

The Deputy Bailiff:

Thank you, Deputy. That then brings questions to an end. Very well. I invite Senator Ozouf to return and we will move to a ballot. Now, ballot papers will be distributed and Members should write on the name of the candidate which they wish to support. The ballot papers will now be collected. I will now ask the Viscount and the Attorney General to count the ballot papers. While that is being counted, Senator Le Sueur, so far as you are concerned, are you happy to proceed to start the next one or do you wish to await the outcome?

Senator T.A. Le Sueur:

No, Sir, I am content, in the interest of time maybe move on to the next one.

The Deputy Bailiff:

If there is anyone else who wishes to oppose that or are Members happy to proceed?

Senator T.J. Le Main:

There is a difficulty with that. Supposing the failed candidate would like to stand for the next position then that debars him, and I think we should wait to get the results and then take the next stage.

Deputy J.A. Martin:

I second that, Sir.

The Deputy Bailiff:

It is a matter entirely for the Assembly. Is the Assembly prepared to wait?

The Connétable of St. Mary:

I would just point out that 3 years ago we did ask for candidates at each election if they would like to be candidates for the next one and then we proceeded on that basis if they declined.

The Deputy Bailiff:

Let us try that, shall we? Senator Ozouf, if you are unsuccessful will you be standing for the next one?

Senator P.F.C. Ozouf:

There is no plan B, Sir. [Laughter]

The Deputy Bailiff:

Deputy Southern, if you are unsuccessful will you be standing for the Economic Development?

Deputy G.P. Southern:

I will not be standing for that one.

The Deputy Bailiff:

In which case then are Members happy to proceed because we do have a heavy agenda? Very well.

3. Economic Development Ministry

The Deputy Bailiff:

Then I invite nominations for the position of Minister for Economic Development.

Senator T.A. Le Sueur:

I propose Senator Alan Maclean.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Are there any other nominations for the position of Minister for Economic Development?

Deputy T.A. Vallois of St. Saviour:

I would like to nominate Deputy Michael Higgins.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Are there any other nominations? Very well, then there are 2 nominations. The first candidate to speak will be Senator Maclean, so I invite Deputy Higgins to retire with the officer from the Greffe. I invite Senator Maclean to speak.

3.1 Senator A.J.H. Maclean:

For the last 3 years I have been part of the Ministerial team at Economic Development. I believe the team structure which Senator Ozouf introduced to the department gave his Assistant Ministers a good opportunity to gain valuable experience on the Ministerial frontline. As one of the Assistant Ministers I was initially given delegated responsibility for the harbour and the airport, later supplemented with gambling control and, during the last 6 months, agriculture. I have overseen the start of significant changes in the way the harbour and the airport operate. I believe both departments now serve the travelling public, their stakeholders and our airline and shipping partners in a much more efficient manner. The airport has improved its facilities, invested in essential infrastructure, and redefined its business model and capital programme to help secure its long term sustainability. More importantly, it has increased its contribution to the economy by growing passenger numbers. We have achieved this by working hard to introduce low cost airlines, additional routes and some genuinely competitive fares to the United Kingdom and, indeed, Europe. Since joining the States I have also been chairman of the Jersey Conference Bureau which is a private public partnership set up to promote Jersey as a conference destination and jointly funded by Economic Development and industry. In the past 3 years we have been able to grow conference business by 40 per cent assisted by increased air links, especially important being Heathrow, and significant industry investment in new and improved hotels and conference facilities. Other responsibilities include chairing the judging panel for the Jersey Enterprise Awards, an event that champions economic success delivered by Jersey businesses and entrepreneurs. In the past 3 years the team has worked hard to double the size of the Enterprise Awards. Last year the annual gala dinner hosted more than 800 guests and helped Island businesses to showcase their successes. I set up the Shadow Gambling Commission as a precursor to an effective regulator for the existing gambling industry within the Island. This followed a States decision in March 2005 to modernise Jersey's gambling industry so that we could better ensure that the young and vulnerable, in particular, were well looked after and protected. Not

wishing to be accused of inflating Senator Ozouf's ego, but it must have taken some degree of courage and perhaps a degree of madness to appoint a new States Member with such delegated responsibilities as his Assistant Minister. I would like to thank him for giving me the opportunity and compliment him for his leadership skills in running the E.D. (Economic Development) team over the last 3 years. The team ethos enabled me to step into the breach in autumn 2007 and deliver the 2008 Economic Development Business Plan to this Assembly. That was because Senator Ozouf was sadly unavailable due to a family bereavement. Some of the other areas that fall under Economic Development's umbrella are tourism, various regulatory functions, gambling control, trading standards, enterprise and business development, and our important financial services industry. I feel particularly strongly about the need for good communication and, if elected, I intend to operate an open door policy for all Members. But, in addition, I will ensure that informal briefings are offered at regular intervals throughout the year to keep Members up-to-date with the department's activities. A better working relationship with the Economic Affairs Scrutiny Panel is also absolutely important. The Island has seen a rise in its prosperity over the last 3 years but there have been some unintended consequences as a result. Population growth and house prices are probably the 2 most emotive. The population growth must be assessed in context and, in particular, over a full economic cycle and not just one or 2 years. Skills development is essential. Better training for locals means that we will have less need for imported labour in the future. The new Skills Executive is a positive step forward in this regard and must be developed further in conjunction with E.S.C. (Education, Sport and Culture) and Social Security. As well as developing the training and skills of our local workforce I want to see local businesses having more opportunities to tender for States contracts. There is a wealth of local talent in a variety of fields and nothing frustrates me more than seeing local contracts awarded to U.K. companies when local companies should and often can compete on both price and, indeed, quality. We must focus on supporting local businesses and local products. During the next 3 years we face many challenges in a dramatically changing, economic climate. In 2009 it is likely we will be facing falling economic output, rising unemployment, declining population and falling house prices; a very different economic climate to the recent years that will bring different challenges and, indeed, require different solutions. Jersey is not unprepared with money saved and wisely tucked away in the Stabilisation Fund. Some of these funds may be needed and need to be targeted to support local businesses in the wider economy, and I can give notice to the new Minister for Treasury and Resources Elect, that I shall be calling upon him before too long if I am successful in being elected. Economic Development is now better placed to fulfil one of its key roles of supporting local businesses and helping to facilitate diversification of the economy in both new and existing sectors. One key new opportunity, for example, falls within e-Commerce sector where, if elected, I will be looking to develop the considerable benefits offered by I.P. (intellectual property) by bringing forward enabling legislation during 2009. The creation of Jersey Enterprise and its one-stop shop at Jubilee Wharf to support small local businesses has been very successful and this needs further development over the coming years. The small business loan guarantee scheme has helped entrepreneurs with sound ideas but no collateral to launch their businesses. A key element of deteriorating economic climate is a reduction in available funding for small businesses and businesses generally. If elected I want to progress plans to extend the small business loan guarantee scheme to offer additional access to funding opportunities for businesses. Our finance industry will remain a key economic contributor, and I will obviously support and assist its aims for new markets and new products in the years ahead. Jersey Finance has a vitally important and developing role in helping the finance industry to market itself. Importantly it demonstrates government support for the industry to key international market. I would ensure that Economic Development works closely with the financial services industry to review, update and develop legislation relating to the industry so as to maximise its international competitiveness. Our tourism industry, like others, will suffer the effects of the global economic downturn. We have brought together industry and government to develop a plan to help offset the impact of slowing consumer demand for 2009 and beyond. Support for tourism in 2009 must include continued and targeted

airline route support to help reinstate suspended low cost routes, maintain others and develop key charter operations. We need to develop more joint marketing initiatives and encourage industry to add value to their products and develop competitive packages. On a longer-term basis, the quality and diversity of our tourism product will be central to the long term success of the industry. We have seen a high level of investment in hotels, restaurants and attractions in recent years. The challenge will be to help local entrepreneurs to obtain funding and support, to continue to improve facilities in more difficult, economic times that lie ahead. We must further develop event-led tourism. We have the Battle of Flowers - a superb community event, the International Air Display, the Jersey Boat Show, Jersey Live, and many more. We need to strive to improve these existing events, especially the commercial opportunities that they offer, as well as introducing new ones. Agriculture and the rural economy have gone through significant changes during the last few years. We have moved away from the handout regime of the past to a more targeted support mechanism designed to develop success, productivity and sustainability. I would like to expand both the rural initiative and the countryside renewal schemes to further support and develop the rural economy. Economic Development is such a wide and diverse portfolio that I have been unable to touch on all the areas covered. I have enjoyed my 3 years apprenticeship but feel that for me the job is not complete. I sought an Island-wide mandate at the recent Senatorial elections because I felt it important to have the support ... that level of support for the role of Economic Development Minister. I am keen to stamp my authority on what will be an increasingly important role in maintaining and developing the economy in the challenging times that lie ahead. I hope the Members will support my nomination and look forward to answering questions. Thank you.

[Approbation]

The Deputy Bailiff:

Before questions perhaps this would be a convenient moment to announce the result of the ballot for the Ministry for Treasury and Resources. The votes were as follows: Senator Ozouf, 38 votes; Deputy Southern, 13 votes. I therefore declare that Senator Ozouf has been elected for Minister for Treasury and Resources. **[Approbation]** We come then now to questions of Senator Maclean.

3.1.1 Connétable G.F. Butcher of St. John:

Would the candidate support putting a cap on the population of Jersey?

Senator A.J.H. Maclean:

There are already constraints on population growth. I think what we have seen in the last few years has been a spike in population. That is not unexpected considering the success of the economy. Economies operate in cycles. I think we have to realise and bear in mind that over the longer term population is a key factor that we need to consider very closely how we deal with. Skills Executive is an important area of improving local skills and ensuring that local people have the necessary skills to be able to compete for all the best jobs in the Island, and will ensure that we do not have to import labour in the way that perhaps we have needed to in the past. I think we need to concentrate very clearly on ensuring that skills development is maintained. Population growth over the last 10 years has increased by a relatively modest amount compared to the last 2 years.

3.1.2 Deputy P.V.F. Le Claire:

Scotland leads the world in providing incentives for the emerging tidal and wave industry recognising the huge economic and environmental benefits it will derive from it. If elected would the candidate undertake to investigate these incentives as a possible model for Jersey?

Senator A.J.H. Maclean:

I am very supportive of the work being undertaken at the moment by the panel headed by the Constable of Grouville. I think there is significant opportunities with tidal power and it is an area that we certainly should be investigating, as indeed is happening at the moment, and indeed if

incentive packages are a way forward then, yes, that should be included in all considerations in this regard.

3.1.3 The Connétable of St. Mary:

The successes of one department can often cause difficulties in another and we have seen by Scrutiny Report that the impact in the case of Economic Development was on Customs and Immigration in one case. The candidate touched on the wide and diverse nature of his portfolio and I wonder, can he commit to take the concept of joined-up government to new levels to avoid such a situation occurring?

Senator A.J.H. Maclean:

That is a very short answer. Yes, absolutely. We need to be joined-up. Departments in particular need to work even more closely together and I would certainly be very hopeful that under the new Chief Minister that will be able to be achieved.

3.1.4 Deputy R.G. Le Hérisier:

Part of the issue with the growth of the Jersey economy is it has become a high cost economy putting all sorts of pressures upon employers, particularly those who cannot pay the salaries that govern other parts of the economy. How would the Minister intend to deal with this?

Senator A.J.H. Maclean:

The Deputy is absolutely right; it is a high cost economy but, however, we have various opportunities that we can look to put more value into the economy. We have the Jersey Competition Regulatory Authority, which has worked hard in recent years to bear down on price inflation. Price inflation is an area that sees prices rising and, unfortunately, because of that, associated demands on salaries and so on. We have to continue to bear down on costs to ensure that the economy is as efficient as it possibly can be.

3.1.5 Deputy K.C. Lewis:

The Senator has already outlined progress made at the airport which is commendable; if elected what action would the Senator take to boost the use of the harbours?

Senator A.J.H. Maclean:

I would not suggest for a moment that there has not been considerable effort at the harbour as well. I would just simply say, and I think I alluded to that in my opening remarks, that the airport is perhaps a little bit ahead. It is slightly different mechanics involved in airport and the development of multiple routes out there. There has been a lot of work undertaken at the Harbours Department and I think a lot of progress has been made with the way in which the Harbours Department operates, its structure, its financing; and I am confident that during the course of the next 3 years the work that has begun at the harbour will continue and will lead to a much more efficient and better structured organisation and we are moving towards that at the moment.

3.1.6 Deputy F.J. Hill of St. Martin:

Given the growth of the conference activity, does the Senator believe that the Island's current conference facilities are adequate or does he think a larger conference centre at Fort Regent should be constructed and, if so, why, and how should it be funded?

Senator A.J.H. Maclean:

Yes, the conference growth has been very encouraging. I think a lot of that has been the investment that has occurred to date. We have obviously had the Hotel de France after its latest fire putting in some very impressive conference facilities. That came back on line which has obviously helped the growth in the last few years. We have also seen the Radison, we have seen the Grand which has invested in conference facilities, the Royal Yacht and so on. That certainly underpinned the

success we have had to date together with, of course, increased air routes, destinations and, in particular, I mentioned in my opening remarks, Heathrow. We have seen growth from the Scandinavian markets which we lost when we lost Heathrow. That has been particularly strong for conferencing. A piece of work was undertaken with regard to Fort Regent and conferencing facilities some while ago. As a standalone facility it is, first of all, very expensive, but also the commercialisation and reality of that succeeding alone was questioned. The possibility of a hotel and conferencing facility at Fort Regent certainly has some merit but clearly it would involve many other parties for a scheme of that nature to progress. But it is something that I would certainly like to investigate further because I think it does have some merit.

3.1.7 Senator S.C. Ferguson:

Experience in the U.K. has shown that too many supermarkets will kill local businesses and do not necessarily reduce prices. How does the candidate reconcile the conflict between pushing for a third supermarket and supporting local businesses?

Senator A.J.H. Maclean:

First of all, the Senator should be aware that I have not necessarily, from a personal perspective, been pushing for a third supermarket. Certainly a great deal of work has been undertaken by the department in that regard. Indeed, there was a survey that has just come out which was undertaken by the Statistics Unit looking at consumer views on a third supermarket. That was a sample of 2,000 people and it showed that 84 per cent, when asked a series of questions, supported lower prices, quality products, a diversity of products and a third supermarket operated to deliver those and, in particular, a major U.K. brand supermarket was supported by consumers who were surveyed. I think that is interesting. There have been a number of other pieces of work undertaken with regards to supermarkets. I, like the Senator, would be concerned about the impact on small local businesses and businesses generally. There are other options. I think a great deal more work needs to be done and a great deal more consideration given to how we deliver what the public want in the Island, which is good quality products at acceptable prices.

3.1.8 Senator A. Breckon.

I wonder if Senator Maclean would share with the House his opinion on consumer protection, in particular a Financial Services Ombudsman, depositor protection and even the regulation of estate agents. Does he support this and are they a high priority in law drafting for 2010?

Senator A.J.H. Maclean:

I think consumer protection is extremely important and I should say that the Senator himself has done a wonderful job with the Consumer Council in bringing to the attention of members of the public areas where there are risks and problems and where the consumers are not properly catered for. The other questions the Senator raises about depositor protection schemes: yes, work is already underway to look at an appropriate depositor protection scheme. I support the principle of that. I think we need to bear in mind that we are fortunate in Jersey. We have the Top 500 rule in terms of banks. The reality is in fact, of course, in Jersey 98 per cent of our banks are in the top 100 and I think in many respects what we have seen unfolding with the economic crisis over recent months is that the U.K. Government has been supporting the larger banks and we can draw some comfort from that. But, yes, a depositor protection scheme is being worked on. We want to make sure we have the right scheme. We do not want to jump in and have an inadequate scheme and that work is ongoing. As far as regulation to protect estate agents are concerned, I do not think it is appropriate that I should make any particular comment because I am probably inappropriately conflicted in that area, but if it would come to a decision on that particular matter I would be looking to delegate decisions of that type. So, consumer protection is extremely important, yes.

3.1.9 Deputy G.P. Southern:

I would like to explore 2 words that are often heard from the mouths of Ministers for Economic Development; one is diversification and the other is productivity. Has the candidate read the Oxera report 2002 which says that if we grow the high value of the financial services sector inevitably we must reduce the size of our agriculture and tourism industries, and how does he balance this act between diversification and productivity? For one inevitably leads to the absence of the other.

Senator A.J.H. Maclean:

I do not agree with the statement made by the Deputy at all. Productivity; you can have diversification. You can diversify different sectors, you can diversify the financial services sector, which has been happening over recent years. You go for high value not low value, and by doing that you will find that you will increase your productivity. Skills are key. Skills are absolutely key to this. We need to upscale our local workforce to ensure that they can deliver the services and the productivity that we desire. Actually if you look at what has been going on in the economy over the last few years you can see evidence of increased productivity, and I think that is something we have got to continue to drive towards.

3.1.10 Deputy A.K.F. Green of St. Helier:

The Senator stated that he would like to support local companies and ensure that they get contracts for local projects, therefore could the Senator advise us, once the Waterfront plans have been agreed by this House how he would ensure that local contractors get work from this project.

Senator A.J.H. Maclean:

I did not quite catch the end bit of that question.

Deputy A.K.F. Green:

I was asking how you would ensure that local contractors got work from the Waterfront project.

Senator A.J.H. Maclean:

One area which I have been encouraged by is the central procurement service that was set up fairly recently. I think the central procurement is a good concept. I think it needs a little bit more muscle behind it. Basically it gives the opportunity for all local businesses to register and when new contracts become available they get notified. I have seen holes in the system, it is not working as efficiently as I would like it to but there are significant opportunities there. Certainly as far as the construction industry is concerned, I would like to see local construction businesses registered centrally with the procurement services and ensure they have the opportunity to go for any jobs that should materialise with the possible future development of the Waterfront. We should be looking without any shadow of doubt at ensuring that local businesses have the first opportunities to deliver services within the Island. That is something I do feel strongly about. **[Approbation]**

3.1.11 The Deputy of St. Mary:

I welcome the emphasis the candidate put on tourism in his speech but I was puzzled, if not alarmed, when he put the 2 words “airport” and “long-term sustainability” in the same sentence, and I wanted to ask him if he was aware the full extent of the damage that air travel does in terms of its contribution to Co2 emissions and of the extent to which international policy will move in this area, and whether he will undertake to formally assess the extent of this risk to the tourism industry in the medium term and consider switching resources to the harbour seriously?

Senator A.J.H. Maclean:

I might add or I might start by saying that there is still some damage at the harbour with environmental issues, boats are not entirely clean either. As far as the Deputy of St. Mary is concerned, the airport and long-term sustainability... clearly what I was referring to there, we have 2 ports - an airport and a harbour - we are an island, they are clearly of strategic importance to the Island. They are key economic drivers as far as the Island is concerned. The sustainability I was

referring to was that of the airport, that it could sustain itself from a financial perspective because without an airport that can sustain itself financially it is going to require additional funding from the taxpayer and that is something that we have been moving towards avoiding. But, yes, environmental risks with air travel are clearly a problem. I accept that and we can be seen in the U.K. and governments around the world are introducing various measures in order to introduce taxation to deal in part with this issue. My biggest concern is the ring-fencing of any environmental taxes from a local perspective. If we were to introduce local environmental taxes I would like to see them ring-fenced and used for that specific purpose, which does not seem to be the case with the U.K.

3.1.12 The Connétable of St. Lawrence:

The Connétable of St. Mary asked my question previously in relation to my panel's Customs and Immigration report so I shall refer to another of my panel's reports which was the policing of events and the introduction of a user pays scheme. If the Minister for Home Affairs brings forward a proposition for a user pays charge for the policing of events, would the candidate support it and how would he expect it to impact upon event-led tourism?

Senator A.J.H. Maclean:

I do not think I gave a particularly clear answer first of all to the customs issue, which I will cover, if I may, at the same time.

The Deputy Bailiff:

No, I have disallowed that before. I think you must confine yourself to the current question. I cannot have candidates trying to improve their answer to a previous question. **[Laughter]**

Senator A.J.H. Maclean:

Indeed, Sir. My apologies to the Constable then of St. Lawrence in that respect. Policing of events and Home Affairs: it goes back to an earlier question about the departments working closely together and Ministries working closely together, and I would certainly hope in the future that the new Minister for Home Affairs, whoever that may be, and the Minister for Economic Development, can reach a sensible accommodation with regard to the policing of events. I am not convinced that in the past this issue has been dealt with in the manner that perhaps it should have been. I think clearly we have to provide effective policing of these events. There is a cost associated with it, and I think when we are looking at the events themselves we need to look very carefully at what all the costs are going to be, and policing is clearly an important part of that.

3.1.13 Deputy S. Pitman:

We have witnessed in the last few months local businesses on the High Street closing down. Does the Minister not believe that the Stabilisation Fund should have been accessed to prevent this and, if elected, when will the Senator commit to helping such businesses through this Fund?

Senator A.J.H. Maclean:

I did not quite catch the last bit, but local businesses closing down. Yes, businesses in Jersey and indeed elsewhere are under significant pressure at the moment. Funding is the big issue. They are receiving support already and from the Jersey Enterprise. What I am keen to do is ensure that Jersey Enterprise's facilities are developed further. In particular, opening up opportunities for funding, extending funding that can be used to support small local businesses. That is where the pressure is. They are finding it difficult to get funding, we need to ensure that they have the support necessary to ensure the sustainability of the local economy. More than 70 per cent of businesses in Jersey are effectively small businesses, that is categorised by employing 5 or less people. It is an important part of the economy and we need to ensure we look after it. Jersey Enterprise, since it was set up, has already worked with almost 1,000 local businesses in all sorts of

different ways in supporting them, developing their markets, helping them with financing issues and so on. The small business loan guarantee scheme is important, that also needs to be extended.

3.1.14 Deputy J.B. Fox of St. Helier:

You have already mentioned the importance of the sustainability of sea routes. Can you tell me what action is being taken to sustain the sea routes for next summer season and beyond?

Senator A.J.H. Maclean:

We work with all ferry operators. There have been a number of ferry operators in recent years. Clearly at the moment it is looking increasingly likely that we will have just one primary operator to the north and south under new ownership. Macquarie are the owners of Condor Ferries now. We have had already meaningful discussions with Macquarie. We have also had discussions with the operator of the Steam Packet Company that does the Isle of Man ferry services. Interestingly that is also owned by Macquarie. We did that to get some very interesting background information as to the way in which that relationship has developed in recent years and I have to say it gives me a great deal of encouragement to hear the experiences the Isle of Man have had to date. I think, from our discussions with Macquarie, their intentions are that they want to develop sea routes in the Island, they want to be more competitive, they realise some of the issues regarding service standards to date, and I am hopeful that they are going to work with us to improve and deliver what the Island wants.

3.1.15 Deputy A.E. Pryke of Trinity:

With the agriculture and dairy industry going through major changes at present, what priority will he be giving to supporting that industry in the short term?

Senator A.J.H. Maclean:

The agricultural industry clearly is one of our most important long term industries. It is important to me and I would give an undertaking that I will give it all the support I can.

3.1.16 The Deputy of St. John:

On a point of order, if I may, the candidate has been waffling thereby not allowing sufficient ... by killing time in answering these questions. Can the candidates in future be more concise?

The Deputy Bailiff:

Deputy, I am not going to say that Senator Maclean has been any different to anyone else, but it is important that the candidates obviously are brief in their answers to enable enough questions. On the other hand the balance has to be struck that they can communicate some information. I do invite all candidates to be as brief as possible. Now, Senator Maclean, if you would be kind enough to retire.

Senator A.J.H. Maclean:

I would be delighted to.

The Deputy Bailiff:

We invite Deputy Higgins to return. I invite Deputy Higgins to speak for up to 10 minutes on the position.

3.2 Deputy M.R. Higgins of St. Helier:

Like Deputy Southern, I also believe that no Ministerial position should go unchallenged. But as a new and almost unknown Member of the Assembly I want to begin by telling you something about myself and my career to date, as it may help you understand why I believe I have the skills, knowledge and experience to take on this important position. During my working life I spent 4 years as a buyer, first in the aerospace industry where I purchased components for civil and military

aircraft which were being constructed by Hawker Siddeley Aviation at their Chester facility; then in the construction industry where I was responsible for purchasing raw materials and placing all subcontract work for the office blocks, motorways, sports stadiums and oil pipelines for which I was responsible both in the U.K. and in the Sudan when I worked for Sir Alfred McAlpine and Son at the Hooton head office. I also spent 18 years as a lecturer in economics, law and banking at Highlands College, where I taught thousands of students on a wide range of courses ranging from foundation to degree and professional qualification levels. One of my specialist subjects was monetary economics which includes the study of financial institutions, financial instruments, markets and regulations. This period was followed by 12 years with the Financial Services Commission where I specialised in project work, legal and policy matters, and research and development. I was responsible for the production of legislation relating to financial services compensation schemes for depositors and investors, and for a Financial Services Ombudsman law, both of which were sat upon by Ministers. I was also responsible for ensuring that the Commission's laws, regulations, guidance notes and procedures were human rights compliant. During my period with the Commission I undertook training courses at Her Majesty's Treasury, the Bank of England, the Financial Services Authority and attended international conferences at the Bank of International Settlements in Basel in Switzerland. I was also part of the team negotiating designated territory status for Jersey recognised funds with Her Majesty's Treasury and represented the Commission on a variety of topics in talks with regulators in the U.K., Isle of Man and Guernsey. I was also part of the 3-man team that had to devise and introduce a general insurance mediation business law in the Island within 12 months in order for the industry to have continued access to U.K. financial markets following the adoption of a European Union directive in this area by the U.K. Government. Members may also be aware of my passion for all aspects of aviation and for event-led tourism. The first began at the age of 8 in Canada when I first flew in an aircraft and 14 years later I was awarded a university cadetship by the Royal Air Force and was selected to be a pilot in the general duties branch. Unfortunately a go-karting accident prevented me from pursuing my dream to be a pilot in the Royal Air Force but I was fortunate enough to spend 12 years as a commissioned officer in the Royal Air Force Voluntary Reserve Training Branch and managed to fly many of the aircraft that I had hoped to fly. I also gained my private pilot's licence. My passion for event-led tourism stems from my experience as an event organiser. Members may be aware that I am the organiser of the Jersey International Air Display and was responsible for turning it into a major international event which brings more tourists to the Island than any other tourism event. Although the Economic Development Department has a very wide-ranging portfolio I intend to restrict my speech to 3 or 4 related areas and to leave it to Members to ask me questions on any of the other areas of operation, if they so wish. The first area I want to address is the finance industry and its future. I am a supporter of the finance industry and recognise its importance to the Jersey economy. As we all know, it accounts for some 60 per cent of gross domestic product and generates 60 per cent of Jersey's tax income and employs substantial numbers of Islanders. I have, however, been arguing for some time that relying on the finance industry for our future prosperity is highly dangerous and that by having all our eggs in one basket we are asking for trouble, as recent events seem to indicate. Over the last year we have witnessed, according to Mervyn King, the Governor of the Bank of England, the most serious global banking crisis since the outbreak of the First World War. The crisis which is ongoing has its origins in the American subprime mortgage market, and it has now spread to almost every country in the world and to the collapse of many large well-known banking institutions as the interbank lending has dried-up and panicky depositors withdrew their deposits and investors sold their shares. In order to restore confidence, governments have had to shore-up banks by injecting capital into them, primarily through the issue of preference shares leading to the nationalisation or partial-nationalisation of some of the world's leading financial institutions, including 2 U.K. examples, the Royal Bank of Scotland and HBOS-Lloyds TSB. When or how this crisis will end is not known but one thing is certain, and that is, that it will have an impact on our industry and the Island and the Economic Development Department will be at the centre of dealing with it. Offshore finance

centres are considered by many as part of the problem. They have already been attacked by Angela Merkel in Germany, President Sarkozy in France and by President-elect Obama in the United States. So we can expect pressure either to shut us down or to curb our activities. There are also calls for much tighter regulations and for new international regulatory organisations, and other calls to return to traditional banking structures. Secondly, the banking crisis has led to recessions in the United States for U.K. and Europe and I do not believe that Jersey can expect to escape this recession which will have an impact on employment, particularly in the finance industry as evidenced by job losses in New York and London, and it will also have an impact on other areas of our economy. It will also lead to business failures and possible problems for the housing market as people who are mortgaged to the hilt lose their jobs. To help alleviate the problems we face I would like to see the Economic Development Department, in conjunction with the Treasury Department, establish a government-owned savings and loan organisation run by traditional bankers to provide finance that existing banks are not providing to their customers. The bank would be restricted to traditional banking activities in the Island, i.e. accepting deposits and lending to Islanders for housing and business development and not engaging in interbank lending or derivatives. I would also like to see public investment in tourism development to provide employment during the downturn and to facilitate the diversification of the economy into non-financial areas. On the subject of diversification, I believe we must revitalise the tourism industry. I am a firm believer in event-led tourism and have put forward over the years many events which could bring visitors back to the Island. These include a Jersey military tattoo based on the Edinburgh Military Tattoo and the old Royal Tournament; a Jersey maritime festival; air racing, and on the question of the air racing I was approached this year by Red Bull who wished to have the international air race here in Jersey in 2009 but could not obtain the funding for it. I would like to work with anyone in the Island to introduce any event that is likely to bring visitors back to the Island. I also believe it is vital for the economy and for the population as a whole that we introduce a depositor compensation scheme and a Financial Services Ombudsman, and further provisions to cover the failure of financial service institutions. All 3 of which were recommendations of Andrew Edwards who conducted the U.K. Government's first review of Jersey's finance industry in 1998, and which were accepted by the Island. All 3 have been reneged on though by Ministers. I am sure that this is something that Michael Foot will no doubt raise when he commences the U.K. Government's latest review of the Jersey finance industry. In conclusion, I would like to say that the Island is going to be tested over the next 3 years, as is the Economic Development Department, and that I believe I have the knowledge and experience to try to find some solutions to some of the problems that we face. **[Approbation]**

The Deputy Bailiff:

We come to questions. Deputy Le Claire.

3.2.1 Deputy P.V.F. Le Claire:

Many people in Jersey know that the Jersey Financial Services Commission has the business practice and legal statutory duty to look into businesses in Jersey and what they are doing and how they are operating. Given the candidate's experience, can I then take this opportunity to open the can and look inside that area and ask the candidate, what is the J.F.S.C. (Jersey Financial Services Commission) doing that it should not be? What is it doing now that it could do better? What is it not doing now that it should be doing?

Deputy M.R. Higgins:

In response to the Deputy's questions. First of all, I have been away from the Financial Services Commission for a few years now and therefore I am not up-to-date with the current activities. I have a lot of respect for my colleagues in the Financial Services Commission. I think they do an excellent job. I know that they have been struggling with a number of areas. One of the reasons for the banking crisis has been the introduction of new derivative instruments and new practices

that are going on. Like most regulators and most people in the industry, I do not believe that we have the level of expertise to fully understand these instruments and the practice that is taking place. I believe the Commission, like every other regulator, is to strengthen its activities in those areas but there are developments which may lead to many of these instruments being abandoned in the future because of the problems that they have actually caused.

The Deputy Bailiff:

Deputy, you were not in the Chamber earlier, but I am asking Members to be concise as possible in their replies so that we can get in a decent number of questions.

Deputy M.R. Higgins:

Thank you, Sir, I will leave it.

3.2.2 The Connétable of St. Lawrence:

How does the candidate feel or think the introduction of a user-pays charge for the policing of events would impact upon event-led tourism and how would he address it if it were introduced?

Deputy M.R. Higgins:

I think there is a danger that if the Island follows the practice perhaps in the U.K. where, for example, event organisers are charged for policing, fire, ambulance and all other services, that many of the events we put on will not happen. Now, if we happen to believe in a diversified economy and we want to grow the tourism industry, then I think some of these costs should be borne by the Island as it tries to develop the industry. Jersey Live, for example, does face quite a considerable sum of money for policing. Now, I know it is a commercial organisation and, yes, they do make money, but it is a question of balance of how much they have got to pay. But events like the Jersey Battle of Flowers, which are community events, I do not believe should be charged for policing and these other activities. I might also add here that I have a conflict of interest obviously with being the organiser of the air display, but certainly I believe that where they are not-for-profit organisations they should not be expected to pay these charges.

3.2.3 Deputy R.G. Le Hérisier:

Given the candidate's commendable entrepreneurialism and efforts thus far, how does he feel the style that he brings is going to work in an organisation called the States of Jersey, which is a very slow organisation in terms of achieving objectives? How can he move us forward and deal with his own impatience?

Deputy M.R. Higgins:

I have now been organising the air display for 12 years, and I have gone through every frustration you can imagine and had to battle with all sorts of people in different quarters. I happen to believe, not only in that event but in event-led tourism, if we just look at tourism to start with, and I believe I could overcome those challenges. I take people with me, I try to get enthusiasm to lead a team. In other areas of the Economic Development Department again, it is working with people and showing determination to see things through.

3.2.4 The Deputy of St. John:

What will the candidate put in place at harbours to prevent an operator gaining a monopoly on any particular sea route?

Deputy M.R. Higgins:

I happen to believe that competition is good and I do not believe that there should be monopolies on the routes. We have all seen recently with the HD Ferries withdrawal how the costs of travelling to the Continent, for example, are very, very expensive. We have seen this before when other operators have ceased to operate, so having at least 2 operators on the ferries and more airlines,

then I would like to see them take place. It is competition. Failing that, then the J.C.R.A. has got to make sure that these organisations are acting in the public interest and the Island's interest.

3.2.5 Deputy G.P. Southern:

Will the candidate explain the viability of his innovative savings and loan organisation he proposes to kick-start the mortgage market?

Deputy M.R. Higgins:

In terms of economics I consider myself Keynesian and I believe that, for example, when you have a downturn in the economy and you have demand efficiency that you need to ... the State needs to take a role in trying to generate demand to try to sort of increase employment and so on. The reason I put forward the idea of a savings and loan organisation, which I would like to see funded by the States - perhaps money taken out of the Rainy Day Fund, or whatever, and also accepting depositors from Islanders - is the fact that it is far more responsive than physical stimulus. In other words, if we have people who are bankers rather than civil servants determining who will get the money - I mean using sort of the criteria the traditional bankers have always used - then I think we are likely to see businesses and homeowners remaining in their homes. As I say, at the present time the banks we know are trying to restore their balance sheets and are not passing on as much lending as they used to, even though they have had lots of injections from the U.K. Government, they have not been transmitted through. So I see the savings and loan organisation as a means of keeping our economy going and helping those who are likely to lose their jobs or businesses who are going to be struggling during the current credit crunch.

3.2.6 Senator S.C. Ferguson:

I would mention the community bank, but anyway ... experience in the U.K. has shown that too many supermarkets kill local businesses and do not necessarily reduce prices. How does the candidate reconcile the conflicts between the call for a third supermarket and supporting local businesses?

Deputy M.R. Higgins:

First of all, I would just like to comment about the community bank. The community bank is very, very small scale ...

The Deputy Bailiff:

Sorry, can you go back to the question which is on supermarkets and competition?

Deputy M.R. Higgins:

As far as supermarkets are concerned, I do believe that there is a need for a third supermarket in the Island. I do believe that it should be something ... and I know that the former Minister for Economic Development was also in favour of a third supermarket, and I would like to see an Aldi or some other chain in the Island because many people are suffering trying to make ends meet at the present time, times are going to get tougher and I do believe we need to have a cheaper food source in the Island.

3.2.7 Deputy T.M. Pitman

Thanks to our time spent on the Senatorial hustings I am aware that the candidate has shown a strong commitment in his past life to our young people. As a former education professional I know for a fact that an increasing number of young people unfortunately no longer see their future in the Island. The candidate also spoke about diversification ...

The Deputy Bailiff:

A concise question if you would please.

Deputy T.M. Pitman:

What precise measures would the candidate take to ensuring local business can promote involvement in young people?

Deputy M.R. Higgins:

I believe very strongly in providing employment for our youth. I think one of the things that saddens me more than anything is how many of our young people have been driven from the Island, either because they cannot get employment in areas other than finance or they simply do not have the experience that is being required by some of the firms. I think one of the things that the Economic Development Department has done, which I fully endorse, is the Skills Executive and the whole policy that is being pursued there to try to train Islanders for jobs in the Island. I would very much like to pursue that. Sorry, I am not sure I have answered the question.

3.2.8 The Connétable of St. Mary:

The Economic Development Department is a diverse wide-ranging department. Given that success in one area can lead to difficulties in another department, and I cite here the well-publicised matter of the pressures on Customs and Immigration, how would the candidate work to avoid such problems arising in future?

Deputy M.R. Higgins:

I think the only answer I can give to that is co-ordination with other departments. Perhaps there is too much ... within the department and also between other departments I think there needs to be greater co-operation and a greater look at the implications. I think very often policies are engaged and then the problems arise afterwards because people have not put sufficient thought into what was going on. I am very much a team player in that in working with others to try to find solutions to the problem, not generating new problems.

3.2.9 Senator P.F.C. Ozouf:

Deputy Higgins mentioned his conflict of interest with the international air display. I am sure that he confirmed that there has been increased funding and support but there have been problems with the international air display. How would he resolve to deal with those issues before taking his position, and could he confirm the cost of the Red Bull racing?

Deputy M.R. Higgins:

In answer to the first question; as far as conflict of interest is concerned, I would speak to the States and Judicial Greffe and everyone else to make sure that there were no conflicts of interest and structures to be put in place to ensure that that did not happen. Certainly I would not be involved in any decisions relating to the air display if I was the Minister for Economic Development. As far as Red Bull air racing is concerned, the figure that I was given was in the order of £250,000. Now, what I would say is that was the money that would have to come from the States and we would have to raise money from other sources as well. However, I was told there was not sufficient money in the events budget, largely because a lot of it has been diverted to finance and Jersey Finance. I do believe, however, money could have been taken from the advertising budget because of the worldwide recognition that the Red Bull air race has and it would certainly put Jersey on the map. Finally, just in answer to your question, I believe that the air display has been funded well by Economic Development. We received £100,000 from the department and I believe that is enough. I believe the private sector needs to put in the rest of the money, so unlike many people who believe the States should fund everything, I believe it should certainly make a contribution but other organisations should make up the difference.

3.2.10 Deputy M. Tadier:

Regarding financial services in the Island, if elected will the candidate commit to taking a more broad-based approach and seek advice from a wide range of experts, and also would he reverse the

unhealthy culture of unfairly labelling as enemies of Jersey those who try to constructively challenge the more dubious aspects of Jersey's financial status as an offshore centre?

Deputy M.R. Higgins:

I am trying to think where to start there. So far as the finance industry is concerned, yes, we have got a finance industry and we should be proud of it. Like all financial centres there are elements within our industry who are not as reputable as they should be and therefore some of their activities may lead to criticism of the Island. I am not saying anything that is not known. The Financial Services Commission has files on a number of individuals and companies and are investigating them, and when sufficient evidence arises they will take action against them. What I would say is Jersey is no different to any other financial centre in that regard. I have a lot of respect, as I say, for my colleagues in the Financial Services Commission and their activities. As far as critics of the Island is concerned, and even critics within the Island, I am one of those individuals who has an open mind. I am prepared to listen to anyone and to listen to their arguments and then make my own decisions. So I will not certainly dismiss anyone who is a critic as a crank or anything else. I will listen to what they have to say, take it on board, and if it is relevant, act on it.

3.2.11 Deputy A.E. Jeune of St. Brelade:

The Deputy refers to better training within the Island for locals and young people yet for some years now the States of Jersey has had a policy of succession planning, however we do not appear able to have suitable candidates within the Island to take senior positions when they occur. How does the Deputy feel that he can remedy this?

Deputy M.R. Higgins:

I am concerned about training in a wide range of areas, but just to talk about the one you have. One of the problems I think we have is the fact that many of our people do not have the experience perhaps outsiders do. There is perhaps a case for seconding people from Jersey to other authorities, other organisations or whatever, to gain the experience which they can then bring back to the Island. So we should identify, I think, people who can go to the top of Jersey's industries or public sector and then second them to other organisations to gain experience they would not get within the Island. Therefore they would come with the ideas that we normally get from people who are imported into the Island. I also happen to believe that there should be more apprenticeship schemes and I am very concerned and would, if elected to the post, work with the Minister for Education, Sport and Culture to deal with those many students who leave school without any qualifications or who cannot even read and write. I know that the Home Affairs nominee for Minister also feels that many of the people who are in our prisons are people who have had inadequate education. So we need to deal with a whole series of things. It is not only for the very top, the professional qualifications and the experience that people need, it is apprenticeships and it is also people at the other end of the spectrum.

3.2.12 The Connétable of St. Brelade:

Some years ago it was recommended that Jersey Harbours be incorporated or turned into a trust port; has the candidate got any views on that?

Deputy M.R. Higgins:

I do not have any view as to whether it should be publicly owned or privately owned. As far as I am concerned it is looking at what is the best structure to achieve what is desired in the best interests of the Island. So, I do not have any particular hang-up on whether it is private or public or anything else. It is just looking at what is the best to meet our needs.

3.2.13 The Deputy of St. Martin:

I do not know if the candidate is aware that the former candidate told us that there was a growth in conference activity. Does the Deputy believe that the Island's current conference facilities are

adequate or does he think that a larger conference centre at Fort Regent should be constructed and, if so, why, and how should it be funded?

Deputy M.R. Higgins:

I happen to believe that obviously conferences are important for the economy and I believe that we need to try and enhance it. I do agree that we need larger conference facilities and if Fort Regent is the best place for it then so be it. In terms of funding it, then I think it should be considered an investment by the Island. As I say, I feel very, very strongly about having all our eggs in one basket. Now we are not really the masters of our own destiny when it comes to the finance industry. There are forces out there that are going to cause changes to the industry and could ultimately lead to its demise, therefore we need to take steps very early to start diversifying our economy, and if building a conference centre at Fort Regent will increase the growth of that type of business I favour it.

3.2.14 Senator A. Breckon:

Deputy Higgins mentioned in his speech some consumer protection issues, including Financial Services Ombudsman. He also has mentioned deposit protection. I would like to add to that the regulation of estate agents, and the question is does he support them and would he give them a high priority in law drafting were he to get the post in 2010?

Deputy M.R. Higgins:

The answer to that question is, yes, I do support them. I would prioritise them. I do believe that when Michael Foot comes in the next few weeks to Jersey to look at our finance industry he is going to be asking us why we did not implement some of the Edwards Report recommendations. That included the depositor compensation scheme. It included the Financial Services Ombudsman scheme, and some others. We are going to be asked questions about it. I also believe it is important. I have been highly critical of the political guarantee that was given by Ministers recently because I felt it was worthless and the reason why was because it was given by 3 Ministers who said they would come to this House and say: "A bank has failed, these depositors have lost their money, will you please use the Rainy Day Fund and borrow money to pay off this debt." It would bankrupt the Island to do it. If we had a depositor protection scheme in place years ago many of these questions about how safe are deposits in the Island would not have arisen. I also think that they did irreparable damage to the Island's reputation as many ex-patriots who deposited their money in this Island for years and thought of as a safe jurisdiction suddenly found that the political guarantee only applied to residents' deposits. So, yes, I believe these are important pieces of legislation that should be introduced to enhance protection for the population and also the reputation of the Island.

3.2.15 Deputy J.A.N. Le Fondré:

The candidate has cast some gloom over the future of the finance industry and referred to various press reports concerning President-elect Obama and other political figures. However, does the candidate accept that Jersey appears to be better placed compared to many other jurisdictions as regards forthcoming reviews, and how will the candidate assist our most significant industry at this time?

Deputy M.R. Higgins:

Unfortunately I am not a person who believes in spin. I do not know what the impact of these reviews are going to be. We do not know the nature of the reviews. What I would do if I was elected to the position is give you straight talking. We are facing review, we do not know the full nature of the review. President Obama, for example, is trying to fund a massive public sector works type activity. He is looking for funds. He is also looking at how corporate America is putting their money offshore and I have heard talk that, yes, he will concentrate on the Cayman or Bermuda, but he is going to have to concentrate on all offshore centres because we all know that

money moves from one centre to another as soon as restrictions are applied on one. As I say, I would like to support the finance industry, I believe in it, and we have got to find not only sort of dealing robustly with the criticisms that we are going to get, but until we know what they are I cannot give any promises as to how it is going to turn out.

3.2.16 The Connétable of St. Peter:

Given the candidate's focus on event-led tourism ...

The Deputy Bailiff:

Sorry. Very well, could Senator Maclean be invited back into the Chamber. I ask that ballot papers be passed out to Members. I ask that the ballot papers be collected.

Deputy P.V.F. Le Claire

Just as a brief filler, I notice members of the gallery are taking a great interest in our proceedings this morning, never more so than when we are writing on our pieces of paper and I wonder, as it is a confidential matter, whether or not that is appropriate?

The Deputy Bailiff:

It is entirely for Members how they write their name on the ballot paper. Have all ballot papers been collected? I ask the Attorney General and the Deputy Viscount then to act as scrutineers to count them.

4. Planning and Environment Ministry

The Deputy Bailiff:

The next nomination is for the Planning and Environment candidate. Senator Le Sueur, as far as you are concerned are you happy to continue not knowing the result of this matter?

Senator T.A. Le Sueur:

I would be happy if the 2 candidates of the last election indicate whether they want to stand for this post?

The Deputy Bailiff:

I will ask the question then. Senator Maclean and Deputy Higgins, the proposal is that we should move on to consider Planning and Environment but obviously if either of you are unsuccessful might wish to stand for that, then we would not.

Senator A.J.H. Maclean:

No, Sir. [Laughter]

Deputy M.R. Higgins:

No, Sir, I would not.

The Deputy Bailiff:

Very well. Does the Assembly agree then we move on to deal with the next nomination? I invite nominations for the Minister for Planning and Environment.

Senator T.A. Le Sueur:

I am happy to propose Senator Frederick Cohen as Planning and Environment Minister.

The Deputy Bailiff:

Is that seconded? [Seconded] Any other nominations for the Minister for Planning and Environment? No? Very well, I declare that Senator Cohen is elected as Minister for Planning and

Environment. (The policy statement submitted by Senator Cohen as required by Standing Order 117(17A) is attached as an Appendix). **[Approbation]** I must then, I think, go through the same exercise now.

5. Health and Social Services Ministry

The Deputy Bailiff:

The next matter would be the Health and Social Services candidate. Senator Le Sueur, as far as you are concerned?

Senator T.A. Le Sueur:

As far as I am concerned, subject to those 2 previous people ...

The Deputy Bailiff:

Senator Maclean, I ask the same question of you then. If unsuccessful would you wish to be considered for the Health and Social Services?

Senator A.J.H. Maclean:

No, Sir.

The Deputy Bailiff:

Deputy Higgins?

Deputy M.R. Higgins:

No, Sir.

The Deputy Bailiff:

Very well, then we are in a position to move to that, so I invite nominations for the position of Minister for Health and Social Services.

Senator T.A. Le Sueur:

As indicated, I propose Senator Paul Routier for this post.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Any other nominations for the position of Minister for Health and Social Services.

Senator B.E. Shenton:

I would like to propose that Senator Perchard is allowed to finish the job he started.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Any other nominations? Very well, so we have 2 nominations. Senator Perchard, could I ask you to please retire. Senator Routier then, I invite you to address the Assembly.

5.1 Senator P.F. Routier:

Firstly, I would like to say how pleased I am that the Chief Minister elect has proposed me for this extremely challenging position as Minister for Health and Social Services. Secondly, I am also delighted that having listened to his election speech and read his policy statement that he has placed social matters as one of his top priorities. I think many of us will be holding him to that commitment so that we will not let him get away with that. Health and Social Services are the biggest spenders in the States and this important position requires someone with dedication and commitment. *New Directions*, the vital blueprint for health policies for the future, has been slow

coming forward. *New Directions* is a major strategy and one which needs to harness the experience of as many Members as possible. If elected, I would work with Scrutiny to form a working group of Assistant Ministers and Scrutiny to ensure that the Island has a modern sustainable and cost-effective care package for every Islander. I want to build a real consensus of all Members before and during the Assembly's approval of the new strategy. The modernisation of the health service to meet the needs of the 21st century has to be one of the highest priorities for the States. With the effects of an ageing population, healthcare inflation, a declining working population and increase in illnesses related to obesity together with tobacco and alcohol consumption, we are going to be facing challenging times. With advances in modern technology and telemedicine and the very welcome trend in procedures being carried out in day surgery, I would want to ensure that care is at the top of the list of concerns. I want to create a health service which co-ordinates G.P. (General Practitioner) primary care service with the secondary care provided by the hospitals and consultants. I want G.P. practices to be able to offer more services such as practice nurses. To achieve this I would work closely with the Minister for Social Security to find imaginative ways of using the Health Insurance Fund. The G.P. services need to be developed and appropriately funded and I believe that the surpluses which have been building up under my careful stewardship at Social Security in the Fund could be used to deliver some of the latest innovations in primary care and, importantly, further subsidise patients from G.P. costs. The hospitals and the staff in them have to be our greatest assets. I know that the quality of service is excellent and we must continue to support them in providing them with the tools to continue to deliver excellent care. I want to continue to make it possible for nurses to train in Jersey. One of the biggest advances in supporting the delivery of modern care is the roll-out of integrated care records. I have previously overseen 2 large implementations of information technology. I hope my experience at Jersey Telecom and more recently with the income support package will be of use. I would also want to see the outcome of the investigation into the worrying revelations last week about health tourism increasing. One of the other big issues which require attention is long term care for the elderly ensuring also that there are sufficient respite services available. The recently published Scrutiny Report from the panel led by Deputy Le Hérissier has some very good recommendations. The Scrutiny Report will help show the way forward and I welcome the recommendation to work with the Minister for Social Security and the Minister for Planning and Environment and to bring forward a report to the States by 30th June next year. I am pleased the report also supports my view that an insurance-based scheme for funding of long term care should be one of the options put to the public. I would also ensure that the Constables are supported with their plans for the elderly in their Parishes. Turning to Social Services, it is only now that there has been an inquiry into child protection service that we are seeing a flurry of activity within the Social Services section. In the recently published report of the Jersey Childcare Protection Committee, the Chairman makes it very obvious in her comments that although the work of the existing staff and agencies are commendable and are examples of good practice, the impression is that the weaknesses identified results from frontline staff being over stretched. I know the department's action plan in response to the *Williamson Report* and recommendations is imminent and, if elected, I would consider this to be one of the highest priorities. The Social Services Department has, until only recently, been treated as the Cinderella of the Health and Social Services portfolio with little political oversight and sufficient financial support. While the current reviews have focused on children's services, the department also has responsibility for adult social services together with special needs. The latter of the 2 is something of which I have a particular insight. Members may be aware of my involvement with charitable voluntary organisations which campaign for and provide services for people with learning disabilities and their families. I am very aware of the extreme pressures the special needs social support team are facing at the present time with increased caseloads and staff vacancies, the combination of which is that they are failing to meet the needs of clients in a timely manner. While these comments are fairly negative about Social Services I do believe that we can turn the service around, and hope that I have shown that I have the skills to achieve what should be and could be a first class service. The voluntary organisations which I chair, Les Amis, was

awarded the prestigious national award of Care Home of the Year and more recently we won the Lloyds TSB Enterprise Award which recognised how we had managed change in a growing organisation. I offer my knowledge for the benefit of the public service but recognise and accept that as Health and Social Services inspect and regulate care homes that it would not be appropriate for me, if Members hopefully elect me, to continue chairing and being a member of the management committee of Les Amis. I would step down immediately and ask my Assistant Minister to have oversight of anything related to Les Amis for the foreseeable future so that there is a clear separation. This brings me to one of what would be many priorities, and that is the inspection and regulation of care homes. I would ensure that the appropriate external inspection regime is put in place for the department's own residential services. Social Services has been in the spotlight in recent times and I would ensure the department receives the attention it should have had all the time. I recognise the recruiting for Social Services in many jurisdictions is becoming more difficult and I would want to ensure that existing good staff are supported and we will do all we can to get social work support to an appropriate level. We may even have to increase the number of social workers. I would want an Assistant Minister with specific responsibility for Social Services, in fact if Members elect me I would also offer Senator Perchard the opportunity to continue his input into child protection services. I have deliberately spent considerable time focusing on the Social Services aspect of the portfolio because I believe that there is a great deal of catching up to do. Jersey deserves high quality Social Services and I believe we can achieve that. The Island is extremely fortunate to have many voluntary charitable organisations and it is vitally important to encourage and nurture them because they provide services for the benefit of the community. The Island relies heavily on organisations like Jersey Hospice Care and Family Nursing and Home Care. We must ensure we work jointly with these organisations and ensure that we appropriately support their valuable services. Being responsible and accountable for Health and Social Services has to be one of the biggest responsibilities in the States, with the largest budget, the most staff and, quite rightly, the high expectations of the Island. Our community expects and deserves nothing less than the most modern, well-equipped and well-qualified health service of any small jurisdiction in the world. I would be committed to delivering that. I hope Members will want to elect a Minister who is caring, who works hard, who is committed and has shown a proven ability to manage a large department and to manage change. I care deeply about our health and social services. Leading a team to provide an excellent service has been my political ambition. I ask Members for their support. **[Approbation]**

The Deputy Bailiff:

Before we come to questions I am now in a position to inform Members of the outcome of the ballot for Minister for Economic Development. The votes cast were as follows: Senator Maclean, 32 votes; Deputy Higgins, 20 votes. I therefore declare Senator Maclean has been elected as Minister for Economic Development. **[Approbation]**

5.1.1 The Connétable of Grouville:

Would the Minister consider imposing a random compulsory testing for the H.I.V. (Human Immunodeficiency Virus) and A.I.D.S. (Acquired Immunodeficiency Syndrome) virus in order to establish the prevalence of this disease in our Island?

Senator P.F. Routier:

I believe that the current policy is that that process is already carried out, so I would obviously want to review that with a new pair of eyes, if I was elected, but certainly it is something that probably does need to happen within the Island.

5.1.2 Deputy S. Pitman:

We have heard how much the Senator cares about elderly, yet he has left many on income support with a £5 a week to pay for the doctor. Since the implementation of income support more and more

of its recipients are turning to A.&E. (Accident and Emergency) to help them with health problems that a doctor is able to deal with. How will he fund this increase in the use of A.&E.?

Senator P.F. Routier:

I am a little bit surprised by the question regarding the £5 a week for somebody who wants to go to the G.P. who are on income support. People do not need to pay £5 a visit to the G.P. The income support system does allocate a sufficient amount of money for people to attend the doctor and it would only be in a very rare occasion that the G.P. would make any charge, but in principle the G.P.s are not making that £5 which was the initial thought, but what we need to do obviously, we are thinking about what is happening within the health service, and any increase in visits to the A.&E. Department we would obviously have to monitor that and make sure that the A.&E. Department is funded in an appropriate manner.

5.1.3 Deputy M. Tadier:

I just wanted to know the opinion of the candidate with the phenomenon that has been labelled health tourists by our local tabloid. Does he see it as a real issue?

Senator P.F. Routier:

I was as surprised as the Deputy to see that headline last week and I think in my opening comments I did remark that I would want to see the outcome of that investigation because I believe that there is a possibility that is happening and if we find that the Island is being abused we might have to look at mechanisms to put gateways in place to see how people are accessing our health service.

5.1.4 Senator S.C. Ferguson:

Health and Social Services have been working for some time on the computer systems on patient recording. Given the problems with computer projects in the N.H.S. (National Health Service) how will the Minister ensure that the patient project is brought in soon and on budget?

Senator P.F. Routier:

The budget, I believe, is about £12 million for bringing in the records system for patients. I am a great supporter of that. I believe that it can help to provide a far better service for the patient and also make efficiencies within the medical profession. I have had experience of overseeing the implementation of 2 large projects; one at Telecom and one at Social Security, and it is what requires ... when a new information technology system is being put into place, it needs continual monitoring and you have to keep your finger on the button and make sure that regular meetings are held with the people who are implementing it and if there are any tweaks and changes need to be made you have got to negotiate hard to ensure that it does come in budget.

5.1.5 Senator A. Breckon:

Senator Routier mentioned in his speech *New Directions*, and I am aware that a final draft was done nearly 2 years ago. The questions that arise from that, could he say when he thinks it will appear publicly, will it include funding mechanisms and what is the time line to progress and how?

Senator P.F. Routier:

I am probably as disappointed as the Senator for the delay that has been in the coming forward of *New Directions*. I have had sight of the most recent copy and it is dated August of this year, and I am a little bit disappointed it has not even been a more recent draft of that coming forward, but we are where we are with that. It would be one of the priorities that I would take up is obviously to bring this forward as soon as possibly can be achieved. But I have to say within ... I believe that the document is too wide-ranging. There are things in there which probably are not really health related, things like cycle tracks and ... I think all those sorts of things need to be stripped-out and just focus on the things that health would be delivering. I am not saying I do not think cycle tracks are important, they are, but I think it needs to be stripped-out of this document to ensure that we

just focus on what Health are going to do. Obviously the costings of that will need to be revisited. The initial costs, I am afraid, were horrendous so we have really got to focus on the core matters with regard to health. I am sorry I am going on a bit but it is a big issue. I will leave it at that.

5.1.6 Deputy A.K.F. Green:

The Senator mentioned improving respite services. I would just like to hear his vision in respect to respite services and would he consider a community based respite service?

Senator P.F. Routier:

I certainly would consider a community respite service as a way forward for providing much needed respite care. I mentioned a voluntary organisation which I am involved with which we provide respite care for children and also for adults, for people with learning disabilities, and I know the value of that. We also need to look at respite care for elderly families who are looking after people who have elderly people within their family. If we can achieve that by it being within the community, by a voluntary organisation doing that, all well and good. If it means that the States themselves have to beef-up their own service, well, we will have to achieve it that way. But I think we should look at all options, and respites for the elderly is a high priority.

5.1.7 Deputy J.A. Martin:

The Minister started off with dedication and commitment and proved he can manage change. But the Senator has already accepted that there is much more work to do on the income support system and lots more work to do at Social Security. Could the Minister now inform us why he is not dedicated and committed to carrying on with that work and wants to move to Health?

Senator P.F. Routier:

The basics of income support is there and ready and even with the things that we did last week in the budget debate and the enhancements to the benefits and the incentives for the elderly, and the incentives for people getting into work, have put income support in a very good place. Income support will always need to be tweaked as we go along as the community changes, so I believe that the work that I have done in Social Security has been of value, I hope, and I think it is time for me to take on a new challenge. I have been at Social Security from day one when I was elected 15 years ago and I have been President and Minister, and I think it is too long to have been there really. I think it is time for a fresh challenge and although I have thoroughly enjoyed it, but it is time for a fresh challenge and I am eager to get on with helping to improve the health services of the Island.

5.1.8 Deputy R.C. Duhamel of St. Saviour:

With such a large Ministerial brief, is one Assistant Minister sufficient; why or why not?

Senator P.F. Routier:

I have already had discussions with the Chief Minister about that and it would be my intention to have 2 Assistant Ministers and also even perhaps to have some cross-cutting Ministers working with Social Security and Education because it is such a big job and there is a lot of cross-cutting work to be done with the other departments. So I have the agreement of the Chief Minister elect that if I am successful, to have 2 Assistant Ministers.

5.1.9 Deputy G.P. Southern:

I hate to return to an issue that I do not believe has been dealt with properly, however I will. Is it not the case that external advice told the then Minister for Social Security that there was, in his income support scheme, no incentive to work and no incentive for pensioner saving and that his system would not work and was fundamentally flawed? Why then is he moving to a much larger organisation which delivers much more vital services on the back of this failure?

Senator P.F. Routier:

I thought I was going to be answering questions about health this morning, but it appears that the Deputy will not let the bone go. The incentives which the adviser was recommending cost quite a lot of money. The budget that was available for income support was limited. Certainly the incentives, if they were to have been achieved, would have required reducing the basic benefit rate, which is below what the Parish welfare system was currently paying. The Deputy was sitting in meetings with me at the time and I asked him that question: "Do you want us to reduce the Parish welfare rates to introduce the income support system?" and the answer was no. I believe that I have achieved a great success with income support and I believe it is time for me to achieve great success in the health service.

5.1.10 The Deputy of Trinity:

With the ageing population, what extra care in the community would the candidate put and how would it be achieved and funded?

Senator P.F. Routier:

Care in the community for the elderly is going to be an increasing issue for us to deal with. The support that we give to family nursing and home care I believe should be enhanced. They are providing a service in the community which is valued by a lot of people and I believe that we need to ensure that the services that they do provide are what are required by the community. We may have to do a review of the services they are providing to ensure they are focused on ensuring that people are able to stay within their own homes. The question with regard to how it will be funded, I think that is probably a question I would have to answer at a later date when I know what that costing is but, certainly, with regard to residential care for long term care, the insurance scheme which is being proposed and which has come out of the Scrutiny Panel's report and thoughts that I have had previously, I believe is the way that we would have to go forward with the social security insurance scheme to fund the long term care of people in the community.

5.1.11 Deputy A.E. Jeune:

I think my first part of the question has been answered as a result of the question from the Deputy of Trinity, however, in terms of the family nursing and home care services, how would the Senator ensure that we get value for money? Would he look at service level agreements?

Senator P.F. Routier:

I believe a service level agreement is due with family nursing but I think they have been working on it for quite some time. It does need to be in place. Certainly it has been a long time coming and I think it should have been dealt with sooner rather than later. Obviously we would hopefully be able to achieve that as soon as we possibly can. I understand that from other organisations - voluntary organisations - service level agreements are all out there waiting to be agreed and there has been difficulty in finding the expertise within the Health Department to finalise the agreement. So, certainly I want to achieve those service level agreements because the partnership we have with voluntary organisations is vital to our community.

5.1.12 The Deputy of St. Martin:

There has been a call for the Health Department to establish an all-Island screening programme for prostate cancer which is akin to that of the breast cancer programme for women. If the Senator becomes Minister, what steps will be taken to create greater awareness of prostate cancer and, just as importantly, a screening programme for men?

Senator P.F. Routier:

I think that last week there was an excellent feature on the radio which was led by Hamish Marret-Crosby on prostate cancer and it was marvellous. I think it raised the awareness, probably more

than what the States could do themselves because there are a number of people, as we all know, quite close to us who have had prostate cancer and I would recommend any man to go to the G.P.

The Deputy of St. Martin:

I would like to know what the Senator is going to do about it.

Senator P.F. Routier:

Testing is available through G.P.s. I would advertise and ensure that as many people were to go to their G.P. to ensure that they were tested for prostate cancer. The discussions that we have had in this House and the questions the Deputy has asked previously, the medical advice has been not to introduce a testing or screening programme, as they do with breast cancer. I cannot say, at this present stage, whether it is the right thing to do; to introduce a screening programme but certainly, I know, there are more and more people, as I have been... I have been to my G.P. to have the tests done and I think as many men should go and possibly have that test done.

5.1.13 Deputy S. Pitman:

I am sure the Senator would agree that a key component of ensuring health is maintaining a healthy diet. Within the last year the J.D.A. (Jersey Democratic Alliance) brought a very sensible, very logical proposal to exempt healthy food from G.S.T. If he should achieve his new role, would the Senator support that?

Senator P.F. Routier:

Probably not. Finding out what healthy foods are in a taxing environment is a very difficult thing to do but, what I would do is to ensure that the health promotion team at Health and Social Services does promote healthy eating, as they are attempting to do within the schools. 'Five a Day' is a very, very good programme which is really helping the younger generation to recognise that eating healthily is a very good thing to do.

5.1.14 Deputy C.F. Labey of Grouville:

Would the Senator take responsibility for the vitally important area of Social Services or would he be delegating it?

Senator P.F. Routier:

What I intend doing is to have an Assistant Minister who has responsibility for Social Services. I would want to have an oversight of that to ensure that there is sufficient emphasis on the programme going forward, because it is something that is of vital importance.

5.1.15 Senator B.E. Shenton:

As outgoing Minister for Health and Social Services, one of the areas that has really touched upon my heart was the plight of young carers on the Island and the number of young carers. We are due to launch a carers strategy. Could the Senator just give a commitment that he will give full support to the carers' strategy?

Senator P.F. Routier:

The carers strategy is as close to my heart as it is to Senator Shenton's. Having been a carer for a number of years of a young man with disabilities, I know the importance of caring and supporting carers. The question earlier about respite care; that is all part of the package of ensuring the carers are supported and I give my wholehearted support to ensuring that carers do get support where they need it.

5.1.16 Deputy R.G. Le Hérissier:

Would the candidate outline, given the rumblings that have gone on over several years, how he would approach the task of management reform in the Health Service?

Senator P.F. Routier:

Management reform in any large organisation is an issue which needs to be dealt with very, very efficiently and well and in a timely manner. There are obviously ... it needs to be done around the services that they provide. Firstly, you have got to look at a service to see if the service is required. It is pointless having people in posts where a service is becoming less and less needed. You need to focus on the service to ensure that it is doing what it should be doing and that you have the correct people in the positions to deliver that service. If it requires a change, well, you have to do that in a sensitive and careful manner but my focus, firstly, would be, as I say, to focus on the services provided and then to see what the outcome of that is with regard to the staff.

5.1.17 Deputy P.J. Rondel:

Some areas of Health are under-staffed. Can the candidate give us an assurance that all empty posts will be filled? Also, would he look at prescriptions - we know they are free - but this area is being abused and we need some checks and balances put in place?

Senator P.F. Routier:

I am sorry, I missed the first one. I forgot ...

Deputy P.J. Rondel:

Within the departments at the hospital, there are staff shortages.

Senator P.F. Routier:

Certainly, I recognise that vacancies are in the hospital which do need to be filled, particularly around Social Services.

The Deputy Bailiff:

Very well, then, Senator, if you would be kind enough to retire from the Chamber and we will invite Senator Perchard to return. Very well, Senator Perchard, I invite you to address the Assembly.

5.2 Senator J.L. Perchard:

I was elected to the States 3 years ago and joined the Corporate Services Scrutiny Panel. I chaired reviews on the Zero/Ten tax proposals and our overseas aid programme. In September last year I was invited by Senator Shenton to become his Assistant Minister and was given responsibility for Social Services. It did not take me long to discover that the Social Services Department was a department under considerable pressure. That said, and to be fair, the staff were getting on with their business as best they could, the serious business of providing social care and support to vulnerable children and families, to adults at risk and of course support to those in our community with special needs. It is true to say that the demands on our social services have grown significantly in recent years, almost certainly reflecting the changes in society and ever increasing high standards and public expectation. Accepting this, I, with members of the senior management team immediately started to unravel the complexities of what we do, what we should be doing and how we should set about reforming our social service provision to provide the efficient delivery of best practice and standards. In February this year an unexpected huge extra demand was placed on our service as a result of the Haut de la Garenne police investigation into allegations of historical child abuse. Our child protection systems were to be closely examined from both within and without the Island. All this as unprecedented numbers of referrals were being made to our Children's Service. During this most difficult time I led a team, preparing a programme of departmental reform. I am delighted to inform Members that I have here a detailed draft delivery plan that, if implemented, will restructure the department's operations. The plan importantly encompasses all of the Williamson recommendations. Should Members elect me today, I will seek approval from the Council of Ministers before lodging this plan for debate in February of this year. Before moving on I wish to pay tribute to the staff at Social Services who stayed at their posts and

held the fort while being subject to a mixture of constructive scrutiny, extraordinary pressure and much unjustified and malicious criticism. Not only do I pay tribute to them; I thank them. There are many challenges for the States in the coming years. I suggest however, none greater than the challenge of ensuring the provision of free health care and social care to the people of Jersey as of right. While there is certainly a place for private providers in the provision of specialist care, I wish to go on record that I will not and I never will support a system that restricts access to health and social care based on one's ability to pay. All sectors; voluntary, private and public sector providers must work together to design and develop new systems using up-to-date knowledge and technology to provide people with the type of responsive person-centred care and treatment they need. Did you know that by the year 2035 it is expected that one in 3 of our citizens will be over the age of 65? The demands on services posed by this ageing population will be literally enormous. Experts in the U.K. have warned their ageing population is in danger of becoming a health time bomb. I expect in Jersey we are also sitting on the same time bomb; the combination of people living longer and people living unhealthy lifestyles will create significant resources use that the States simply must address before it is too late. If elected, I will bring to the House, for debate, *New Directions*. *New Directions* is probably the worst kept secret in Jersey. The draft strategy has been amended completely of late and has 3 main principles. First, to increase the level of health and wellbeing on the Island by assisting and supporting the existing population to stay healthy; secondly, to improve primary care and general practice and to ensure, among other things, that patients with chronic diseases are treated more effectively in the community rather than at the general hospital; thirdly, and very importantly, to ensure that older people enjoy maximum independence for as long as possible. This means supporting senior citizens to live longer in their own homes, rather than consigning them to residential or nursing home facilities. *New Directions* is the solution. *New Directions* is a cross-departmental strategy that will require significant investment into Social Security to provide funding for long term care, investment into Transport and Technical Services for the funding of safe cycle routes and walkways to encourage healthy lifestyles and support for education, sport and culture for the promotion of healthy schools and healthy lifestyles and healthy living. It is proposed that other States departments be involved in the delivery of *New Directions* but perhaps to a lesser extent. If Members support my nomination today, I undertake to consult widely with the public by taking *New Directions* to the Parishes. I will engage all Members of the States on this policy and I commit to working with Scrutiny in an effort to agree the detail and the way forward; *New Directions*. I move on now to my vision for Overdale. Overdale Hospital is an important and crucial element of the future health and social care agenda. While there are some new services located there, many of the long-standing services are provided from dilapidated, poorly-maintained buildings which, at best, require significant investment but most require demolition. I am committed to developing Overdale and, if elected, I will request officers to prepare a detailed plan for the site; one which reflects the need to provide institutional services for those older people with complex needs, a new location for family nursing and home care and possibly a move for our acute mental health services. I want to see a coherent plan for the site, which provides a good design; a joined-up plan. I have spoken to our Estates Manager who informs me that such a plan could be ready to share with Members in the autumn of this year. Members will be aware that the U.K. Department of Health has given the Channel Islands notice that it wishes to withdraw from certain aspects of the reciprocal health agreement, in particular the area of healthcare that affects islanders when they visit the U.K. mainland. I have been involved in the initial discussions on this matter and I would really like the opportunity to see through these negotiations to ensure that islanders are fully protected when they require care on the mainland, following an accident or serious illness. This matter is of great sensitivity and the best outcome from Jersey will have to be obtained through carefully negotiated settlements which will take time. By definition, such sensitive negotiations should not take place in the public domain. I can assure Members that if I become Minister, I will confide with colleagues in Scrutiny on a confidential basis and make public announcements as and when appropriate. One thing is clear; that Jersey cannot insist on the maintenance of the *status quo*. The reciprocal health agreement is such that

one party can give notice and, in doing so, the agreement will be terminated. The U.K. Department of Health has given notice, albeit not formally as yet but we have to work with the consequences of that decision. That said, I wish to reassure Members that the position with regards to Jersey residents who are referred by a Jersey consultant for specialist treatment on the mainland will be unaffected and will continue as normal and the Department of Health has confirmed this. So, in conclusion, it is time to tackle the difficult and complex issues of Health and Social Services, it is time to invest to protect the vulnerable in our society, it is time to promote and encourage healthy lifestyles, it is time to work with and support G.P.s in their provision of primary care, it is time to prepare for the ageing population. It is time for *New Directions*. I have had a lot to do with the drafting of this document and I would like the opportunity to take it and bring it to the States. I offer enthusiastic, hard working leadership. In response, in return, I ask Members for a vote.

The Deputy Bailiff:

Very well, so we move on to questions; Deputy Le Claire first.

5.2.1 Deputy P.V.F. Le Claire:

The health protection team at Health has taken no prisoners when administering the Nuisances Law in circumstances of outside wedding functions, for example, while they have done their level best to mimic the 3 wise monkeys of seeing no evil, speaking no evil and hearing no evil when it comes to serious industrial pollution on the Island. If elected, will the Senator assure Members that he will have cognisance of the ongoing and accepted review of the Nuisance Law prior to taking any further abatements out against the little people?

Senator J.L. Perchard:

I fully support the review into the existing legislation surrounding the Public Nuisance Law. I do take issue with the tone of the question, I am afraid. The Health Protection Team does a difficult job extremely well. The team cannot, nor should it, turn a blind eye to any contraventions of the law. This regular function should not and cannot be vulnerable to political pressure or persuasion. They must be independent. Having considered that both the nuisance at La Collette; the composting site and, at the other end of the scale, the noise pollution at St. Ouen's Manor, I am convinced that good sense will prevail in both. We will, wherever possible, attempt to negotiate a settlement between the parties but we cannot interfere in the regulatory function of the department. That is why I support the review.

5.2.2 The Deputy of St. Martin:

I endorse the Senator's remarks about the hard working team at the Health Protection Group. There has been a call for the Health Department to establish an all Island screening programme for prostate cancer which is akin to the breast cancer programme for women. If the Senator becomes Minister, what steps will he and the States and the Health Department be taking to create greater awareness of prostate cancer and, just as importantly, a screening programme for men?

Senator J.L. Perchard:

I thank the Deputy for his question, one which he raised recently in the States and I fully support the sentiment behind it. He will have noticed and he will have received, as will other Members, an invitation to cutting edge work being undertaken in the U.K. The invitation was not to the U.K.; it was to the Jersey General and I cannot remember at the moment the doctor's name who spoke about cutting edge treatment and early diagnosis. We have agreed, with the results of discussions since the Deputy's questions, to attempt to raise awareness. May I give a plug for our good friend at Radio Jersey; Hamish, who has a C.D. (compact disc) out on this very subject and I think those Members that have heard the C.D. about ... I think it is called *No Man or Every Man*; it is a wonderful example of promoting awareness.

5.2.3 Deputy M. Tadier:

The question, really, is something fairly close to my heart because many of my constituents are elderly and I am glad that the Senator did mention the ageing population and he talked about protecting the vulnerable. My concern is for those who do not qualify for free doctors' visits, particularly the elderly, when they have to visit the doctor for a short period or often over a protracted period, many of them end up either not going to the doctor at all or visiting A.&E., something I think is unsatisfactory. What are the Senator's views on that?

Senator J.L. Perchard:

The funding pressures on the Health and Social Services are massive and every doctor's visit is supported by our department or by the States of Jersey through Social Security to the tune of £25. There are massive issues with regard to primary care and the availability is free at the point of need and use. I cannot blindly mislead the Deputy; there will need to be a charge levied on a visit to the doctor. What we need to do is ensure that the vulnerable can access or get a rebate for this charge through the social security system. The primary carers are providers of private care and, while we can encourage them to make themselves accessible, it is not entirely within our gift.

5.2.4 Deputy S. Pitman:

If a proposition was brought back to the House to exempt G.S.T. on healthy foods would the Senator support this?

Senator J.L. Perchard:

I have spoken at some length to the Medical Officer of Health about an option other than straightforward exemptions of foodstuffs because the exemption of foodstuff means that we exempt very unhealthy food. There is a possibility and the previous Minister, Senator Syvret, did draw up a list with the Medical Officer of Health that could possibly be included as items to be G.S.T. exempt and I think that may be the way forward. That may be the compromise that could unite this House. That we can draw up a Jersey list of fresh food and vegetables that is acceptable to, let us say, both sides of the House that could be the way forward and I would support it.

5.2.5 Deputy P.J. Rondel:

Some areas of Health are under-staffed. Can the Senator give an assurance that all empty posts will be filled and how soon? Also, prescriptions are free and are being abused and what will he do to put in place checks and balances?

Senator J.L. Perchard:

Well, taking the last question first, Members should know that neither the previous Minister or I were consulted on this matter. We were told that prescriptions were going to be levied at a zero charge. We both instinctively raised concerns but it was a gift by the previous Council of Ministers. I am concerned by it; people do not, we do not value things when they are given and I think we have all had personal experiences on our visits to the doctor; a nod and a wink and the prescription is made a little bit bigger perhaps with some special shampoo or some cream which really we normally would not bother with. So, taking that, I will be asking the new Minister for Social Security to revisit this. It is causing concerns at our own pharmacy and the hospital as well.

The Deputy Bailiff:

I think he is only allowed to ask one question anyway. So ... Senator Breckon.

5.2.6 Senator A. Breckon:

Senator Perchard has mentioned *New Directions* a number of times, and he will be aware a final draft was produced nearly 2 years ago. He has mentioned it in some detail, but could he say when it will appear publicly, what the funding mechanisms will be, and what the time line will be to progress it?

Senator J.L. Perchard:

As I said in my speech, there is no secret about *New Directions*. It is a complex document, but Senator Shenton and I could not sign-off on it. It was poorly costed. While the principles are right it was written by health professionals - poor health professionals. I have agreed that the principles around *New Directions* are a multi-departmental funding proposal. Much of the monies will go into Transport and Technical Services for the creation of new routes, safe routes. Much of the money will go into Education, Sport and Culture to provide education for healthy lifestyles, *et cetera*. So, the *New Directions* is not about funding just for Health and Social Services - in fact, I think Health and Social Services receive very little. It is a policy to plan for the aging society, and to try and reverse the trends of poor health among our people. If elected I will be up at the Treasury asking them to sign this off, and as I have committed to do, I will start a consultation programme. I will personally go with my officers to the Parishes, explain to the people what this is all about, why we are doing it, why we need to do it. We will engage Scrutiny, and I will not proceed unless Scrutiny are prepared to sign this off, because this is, quite frankly, for want of a better phrase, a no-brainer. Failure to implement *New Directions* will cost this government and this society dearly.

5.2.7 Senator S.C. Ferguson:

In the spending review there was comment that the larger departments got more than their fair share of funding. Now, the maximum expenditure for health is, in fact, staffing. The Senator will know that I supplied him with a set of organisational charts relating to the hospital. I have had some difficulty in getting an updated version of these, or even discussion on them. How will the Senator react to further requests from me?

Senator J.L. Perchard:

I think, like in any large organisation, there will be inefficiencies. There are 3,300 staff operating out of 120 health properties. There is a wonderful opportunity for efficiency savings. But quite frankly, since arriving at the post and being afforded the responsibility of Social Services, which included Children's Services, I have had my eye on another ball, and I do apologise to the Senator, but the Senator knows of my background: it is one of having to be efficient to survive. That will never leave me. That drive for efficiency will come if I am Minister, but I have to inform the House it has not been a priority.

5.2.8 The Connétable of St. Mary:

The Senator said that the ability to pay should not be a limiting factor in treatment, and also that care should be person-centred. Many patients, I am sure, consider that the ability to feel that you have had a chance to talk to the doctor is very important, because I was shocked to be told recently by a professional that consultants can be offered as little as 2 minutes per patient on the list for treatment and consultation. Would he propose to make any changes?

Senator J.L. Perchard:

I do not think it is quite like the good Constable has explained. Consultants are not told. Consultants manage their own affairs, and consultants can sometimes be a little bit protective of their own affairs and, be under no illusion, they are sometimes very protective when we suggest - or the department suggests - that we need another one to beef-up the team, because that will obviously thin their workload down. So, there is work to do with engaging the consultants, the middle surgeons. We are aware that there is some misuse with regards to workloads, shift patterns. There is a big job to do. Health is a huge department; it is a massive department, and there is an area of work to do here, and I will be looking, if elected, to share the workload with 2 Assistant Ministers, not just the one.

5.2.9 Deputy M.R. Higgins:

When the States debated the construction of the new incinerator at La Collette, it was stated that the Bellozanne incinerator had to be replaced because it was breaking down and emitting dioxins. Will the candidate agree that the failure to carry out any monitoring and health screening of residents in the area is unacceptable, and if elected would he authorise the immediate monitoring and health screening of residents as none has been done since 1993?

Senator J.L. Perchard:

I was not aware that no health screening of residents has been undertaken since 1993. I am delighted, however, that a commitment has been made by this House to deal with this problem of filthy air emanating from the chimney at Bellozanne. We are told that the new incinerator meets the most modern of requirements with regards to emissions. I cannot answer the question directly, because I am not sure of the factual basis on which was asked. So, I need to check the facts, and I am happy to respond to that. I do not doubt the good Deputy, but I need to check the facts on which he bases his question.

5.2.10 Deputy G.P. Southern:

Will the candidate confirm that he has indeed read S.R.12/2008 from the Health, Social Security and Housing Scrutiny Panel, and will he summarise for Members how he sees the role of Minister of Health in leading up this sort of project?

Senator J.L. Perchard:

Not only have I read it, I value it and have it with me. It is a great document. One omission that I would like to add to it is this one: Carer Strategy. I have chaired a Carer Strategy Development Team over the last 9 months. We have got a team working together including the Association of Carers' senior officers, and this is a strategy that can reduce the amount of people that need to go into permanent residential nursing home provision. What I am hoping to do here as a part of *New Directions* is a voucher scheme where carers, after an assessment of need, would be able to access a voucher or a series of vouchers. They can purchase them: respite, support and relief, so that their loved ones can stay in the family home for longer, reducing the requirement for this. Great document; just add that to it; we have got it.

5.2.11 Deputy J.A. Martin:

Glad to hear that *New Directions* is finally coming forward. Just generally, could the candidate tell me if there are any major plans or any plans for the General Hospital at all?

Senator J.L. Perchard:

I have a personal vision. There are some immediate plans. We are extending Accident and Emergency, and that will be a 100-week project, and we have a capital vote for 2011 for some capital works. But I think - and this is a bit radical and Members must bear with me - that the States will need to consider developing a brand new hospital. Not immediately, but it needs to be considered. Members may raise their eyebrows, but I am serious. The General Hospital has a wonderful history and is well respected, and I suggest that the facility could be trading on its past reputation.

The Deputy Bailiff:

I think, Senator, if we can keep to a reasonably concise answer on these questions.

Senator J.L. Perchard:

I just want to say this is a pipedream. It is kite-flying, and it is something that is not a departmental policy. It is a dream, and I think it is something that Scrutiny could consider over upcoming years.

5.2.12 The Connétable of St. Lawrence:

If the Senator is elected to this position this morning, he will become a member of the Children's Executive. What are his comments on the past performance of the Children's Executive, and how would it benefit from him being a member of it?

Senator J.L. Perchard:

The Children's Executive was set up as a result of the recommendations by Dr. Kathy Bull, and I think the corporate parents were the then President of the Health Committee, President of the Home Affairs Committee and the President of the Education, Sport and Culture Committee. The Children's Executive is responsible to the corporate parent. It was a tripartite way of managing cross-departmental and cross-organisational affairs that failed miserably. It failed miserably because nobody could pick up the particular areas where children in our care were unnoticed. Children in the judicial system, children in our care, became unnoticed, and Williamson, in his recommendations, suggests a Children's Minister. I have consulted widely on this. There are confictions within the States of Jersey Law as to creating another Ministry, and so immediately what we propose to do is to bring all the functions that support vulnerable children, children in care, children in the judicial system, under the Ministerial hat of the Minister for Health and Social Services. I will stand before the States today offering myself to take that responsibility.

5.2.13 The Connétable of St. John:

It has been reported recently that health tourism is becoming quite a burden on the budget of the Health Department. I would like to hear the candidate's views on that.

Senator J.L. Perchard:

Yes. There has been a cynical attempt by some members outside our community to exploit the hospitality that Jersey displays. What we have done is we have taken interim measures simply to alert our frontline professionals to ask the right questions of patients, and if they have doubts to flag it up to senior management. So, we have taken interim measures. If elected I will hold myself accountable to Members in that I will ensure a regime is put in place to protect the Island from gross exploitation. I do not think we can ever ...

The Deputy Bailiff:

Very well, Senator. I am afraid that is the end of your time. So, I invite Senator Routier to be contacted to return to the Chamber, and then I invite the ballots to be handed out.

Deputy P.V.F. Le Claire:

As a point of information, I do believe in respect to the question that was asked by Deputy Higgins of the candidate, Senator Perchard, in relation to health tests for omissions from Bellozanne, my understanding was that those are available if people apply to the Health Department for them.

The Deputy Bailiff:

Very well. Would you please collect the ballots. If all ballots have been collected, then I would ask the Attorney General and the Deputy Viscount to retire and, if I may, count the votes as quickly as ... **[Laughter]** May I suggest to Members that we await the return of this, probably without starting anything else at this stage, so at least Members will be aware of the result before we adjourn.

Deputy J.B. Fox:

Perhaps in the ensuing moment, to continue with the question that Deputy has asked, reference Bellozanne, and for the benefit of our new Deputy, the proposition that I brought to the States allowed for people to go to the doctors and, if the doctors agreed, they would then consult with the hospital. As far as I know, 4 persons took up that option to look at the question of their health at Bellozanne, and it has been dealt with. I obviously do not know the results of each individual case.

I know of one or 2. But there is a facility available, and if anybody wishes to know about it, if they come and see me after, I will continue further.

The Deputy Bailiff:

Sorry. If I may ask Members' attention again, I suppose on looking at matters, we could at least inquire whether there are going to be nominations for the next one. If I ask again, Senator Routier and Senator Perchard, whoever of you is unsuccessful, would you be considering standing for the Home Affairs position?

Senator J.L. Perchard:

No, Sir.

Senator P.F. Routier:

No, Sir.

6. Home Affairs Ministry

The Deputy Bailiff:

In which event, perhaps it would be helpful at any rate to invite nominations. I invite nominations. Obviously, if there is more than one, we will postpone matters then until after the adjournment.

Senator T.A. Le Sueur:

I shall propose that the Minister for Home Affairs should be Senator Ian Le Marquand.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Are there any other nominations for the position of Minister for Home Affairs?

Deputy G.P. Southern:

Yes, Sir. Can I propose Senator Stuart Syvret?

The Deputy Bailiff:

Is that seconded? **[Seconded]** Any other nominations? Very well, then that needs to be dealt with after the adjournment. May I have Members' attention? I am now in a position to announce the result of the ballot for Minister for Health and Social Services. Senator Routier received 21 votes, Senator Perchard 31 votes. **[Approbation]** I therefore declare that Senator Perchard is elected as Minister for Health and Social Services.

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

Very well. The Assembly will reconvene at 2.15 p.m.

LUNCHEON ADJOURNMENT

The Deputy Bailiff:

Before we move on to the Home Affairs, Senator Le Sueur, I think under Standing Orders I must ask you now after the result of the last election, whether you wish to revise your nomination list in any way? If you do, then I think under Standing Orders you must outline it in terms of the full list that still remains.

Senator T.A. Le Sueur:

Very well, Sir. Yes. I should like to amend my list in the light of the recent election. If I have to nominate the full list again, and the order, it would be that for Home Affairs I would nominate Senator Le Marquand; for Social Security; I would continue with Deputy Gorst; for Transport and Technical Services; I would continue to nominate Constable Jackson; for Education, Sport and Culture; I would now nominate Senator Paul Routier, having advised Deputy Reed that fact; and for Housing I would maintain my nomination of Senator Le Main.

The Deputy Bailiff:

That is the order in which you ...?

Senator T.A. Le Sueur:

The order remains unchanged. Yes, Sir.

The Deputy Bailiff:

Thank you very much. Now, before we begin the Home Affairs nomination, can I just remind both candidates of one particular matter, and it relates to the fact that under the Police Law, where a Chief Officer has been suspended, any discussion of that has to take place in camera. This is really just to alert Members and in particular the speakers, that it is either a subject that they should not touch upon at all, or if they wish to, and Members wish to question, we will have to go into camera.

Senator S. Syvret:

For my part, I did not intend to raise that matter or touch upon it, but I cannot speak for what questions may be asked.

The Deputy Bailiff:

Thank you. Well then, Senator Syvret, could I ask you kindly to depart? Then, Senator Le Marquand, I invite you to address the Assembly.

6.1 Senator B.I. Le Marquand:

The core of the work of the Home Affairs Department is in the area of criminal justice, and although I will touch on other areas, I will only do so in passing. The Members will know that this is one of my particular areas of expertise, having been an advocate for 31 years, a Judicial Greffier for 7 years, and Magistrate for 8½ years. I believe that I have a reputation for fairness, openness and directness, and this October more than 14,000 people appeared to agree with that. My criminal justice philosophy is one of striking a fair balance. A fair balance between the following things: the need for the public to be protected from crime and the effects of crime on the one hand, and the need for effective social work which prevents young people from drifting into crime; an effective programme of retraining and rehabilitation which helps those who have drifted into crime to get back to living happy, useful and productive lives on the other hand. A fair balance between the rights of accused persons to receive a fair trial, and the rights of victims of crime to expect justice to be done; and a fair balance in sentencing terms, although sentencing is of course, generally a matter for the courts and not for politicians. A fair balance between justice and mercy, and between the needs of society that clear boundaries be set and appropriately enforced on the one hand, and the needs of the individual offender on the other. Well, what does this mean in practice? If appointed as Minister for Home Affairs, I shall try to move the balance of the emphasis away from punishment and more towards rehabilitation. I shall fight for extra resources for the Prison, and the Probation, and Alcohol and Drugs, and other services, so that rather than locking people up for long periods of time and then returning them to the community unchanged as we have done at times in the past, we seek to ensure that those in prison receive appropriate retraining for work, and those who leave prison receive appropriate advice and support to help them to get back into the community. In relation to young people, insofar as I have one-third of an interest in the corporate parent, I shall seek to ensure that more resources are put into effective early intervention to assist

families which are struggling and young people who are showing early signs of emotional and behavioural issues. The new Minister for Home Affairs faces enormous challenges, and those include, first, the matter of the suspension of the Chief Officer of Police- and I am saying nothing further at this stage about that. Secondly, the handling of the aftermath of the Haut de la Garenne and historic abuse inquiries. Thirdly, the implementation of the excellent criminal justice policy document which was approved by the States about 18 months ago. Now, as I said on a number of occasions on the hustings, by coincidence I sat on 6 out of the 8 working parties - as many as the Minister herself - and most of the matters in the policy document were not controversial. Unfortunately, very few have as yet been put into practice, and there is a great deal of work to do here. Another challenge is ensuring that the different departments are appropriately resourced. There is still a need for more at the prison. There is a building programme at the moment which will mean that there will no longer be slopping-out once that is completed, but there are extra buildings needed for the training programme. The recent Scrutiny Panel report highlighted the lack of resources for Customs and Immigration. The historic abuse inquiry and, where appropriate resulting prosecutions, must be appropriately financed. The police workload has doubled in the area of child protection as a result of the Baby P case and other such issues, and police financing assumes that they will be manned well below their full numbers of establishment. Finally, the Fire Service has issues in relations to new equipment and specialist training. The issue of 15 and 16-year olds serving sentences in the Young Offenders' Institution has been recently highlighted again in various reports, and there is also the issue which the courts have asked for, for the last 7 years, of appropriate sentencing powers for those aged under 15 who continually and repetitively offend. All these things need to be addressed. There is also a need to ensure that the Licensing laws are appropriately enforced preventing drunkenness on licensed premises, and the issue of underage drinking in public places, and the wider and much more difficult need to start to tackle the binge-drinking culture which we have, particularly in St. Helier. There is also a need to get all the agencies - Police, Customs, Honorary Police, Probation, Prison, Courts, *et cetera* - working together in co-operation to improve the criminal justice system. Now, this is an area where I already have a great deal of experience, because as Magistrate I sat with those groups, trying to bring them together, trying to get them to work together more effectively, and I hope to continue to do that. I have no time to deal in detail with the legislation. There is much legislation to work on. There is completing the legislation on the Sex Offenders' Register; there is the law on offensive weapons; there is a new and very important Police Law which has been produced in draft but needs to be reviewed again. That is very important because it sets out clearly the balance between the Police, the Minister and the Police Authority, and that we need to get right for the future. There is also, very importantly, the need to get the law to set up a proper parole system. This is one of the things that we have not got in Jersey and we need to have. It is very much done on an *ad hoc* basis, but we need to have a proper parole system, so that people can be potentially released if they no longer represent a substantial risk to society after they have served half their sentence. But then, if that is going to happen, there needs to be extra resources for the Probation and After-care Service so that they can support them and help them get back into work, *et cetera*. This is a very important issue. There is also, of course, the anti-discrimination legislation which was approved by the previous House, and a great deal of work will need to be done on that. It will need to be done very carefully to ensure that it is balanced and fair in all sorts of directions. Finally, Part 5 of P.P.C.E. (Police Procedures and Criminal Evidence), which is the part relating to time periods during which people can be held in custody and whether courts will sit on Saturdays, and so on. That also has been in abeyance for some time and needs to be dealt with. So, in short, there is much to do. But I have good news. If appointed, then Deputy Jacqui Hilton has agreed to act as my Assistant Minister [**Approbation**], and I know that I have the Chief Minister designate's approval of that appointment. Together, I believe that we will make a very strong, energetic and effective team, and I commend this team to the Members of this House. [**Approbation**]

The Deputy Bailiff:

Very well. Then we come to questions.

6.1.1 Deputy S. Pitman:

The Senator has alluded to Customs and Immigration. Now, Customs and Immigration are severely under-resourced to the point whereby the ports are often unmanned. How does he intend to properly resource the department to resolve this issue?

Senator B.I. Le Marquand:

Well, firstly I have got to get into the accounting aspects and see who has got what, and see whether there is a fair distribution of money between the different departments. If, even if after looking at that, we need more money, I will have to try and persuade my colleagues to give the overall Home Affairs more money if there really are needs. But I will look carefully at every aspect of expenditure first.

6.1.2 The Connétable of St. Mary:

A great many people are still looking to the demise of the Police Motorcycle Unit. Will the candidate consider reforming the Police Motorcycle Unit?

Senator B.I. Le Marquand:

I will consider it, but there is exactly a very interesting question as to whether that is an operational decision or a policy decision, and there are different views in relation to that. I mean, I personally do not feel very strongly about that issue.

6.1.3 The Deputy of St. John:

We have seen in the recent past conflicts between departments within Home Affairs, and with this I refer to the Customs and the Police, where frontline officers were suspended and reinstated, yet the Ministers would not meet the officers concerned and explain the outcome of that particular inquiry, although they had been promised that they would meet the Minister. First, will you make sure that is put right? Secondly, a Police Authority is urgently needed, and will you work on that as a priority?

The Deputy Bailiff:

That was again 2 questions, Deputy. **[Laughter]** A good try. But would you confine yourself to one of them, Senator.

Senator B.I. Le Marquand:

Which one shall I answer, Sir?

The Deputy Bailiff:

Whichever you wish.

Senator B.I. Le Marquand:

I have answered the second one already in what I have said. The first question, I have to find out what has happened. It is confidential. I have been round to see most of the senior officers, but obviously they could not share with me confidential things. So, I have to get in there and find out what has happened, and then I will move on from there. But I will be seeking to try and rebuild relationships where there are broken relationships.

6.1.4 Deputy K.C. Lewis:

The Senator did speak about a parole system, which I would be in favour of, but would the Senator also be in favour of an educational system - rehabilitation and education - to make sure that the prisoners did not re-offend?

Senator B.I. Le Marquand:

I thought I had indicated that in my opening address. I mean, there are 2 stages. You need to work with prisoners while they are in prison, and of course if they have been put on probation or whatever, you work with them while they are not in prison; and then the idea of the parole system with people released on licence, is that you can then work with them after they have been released. So, you get 2 bites of the cherry.

6.1.5 The Deputy of St. Martin:

I welcome the speech from the candidate, but could I ask ... I have got a number of questions here, but I have wrapped them all up in one. Could we have an assurance that maybe there would be a human rights audit carried out on the Criminal Justice Policy that the candidate was party to, and also we did not get an answer as to how we are getting on with the Police Authority and how quickly we ...

The Deputy Bailiff:

I am sorry, Deputy, but you must limit yourself to one subject in your questions. That is what Standing Orders say. Otherwise everyone will ask one ...

The Deputy of St. Martin:

Well, they are all-encompassing, Sir.

The Deputy Bailiff:

No, no. You must choose.

The Deputy of St. Martin:

Have I left enough for the candidate to start answering?

Senator B.I. Le Marquand:

Well, I only heard the first one clearly - an audit of the Criminal Justice Policy. Well, obviously, anything that requires statutes to be changed will be audited in that way. Anything else, frankly, we would have to seek advice if we were in doubt as to whether there was a human rights compliance issue. I would not go for an overall audit; I would look at individual matters as they came up.

6.1.6 The Connétable of St. Lawrence:

The candidate mentioned a fair balance for victims, and I would like him to give his views on the present Criminal Injuries' Compensation Scheme.

Senator B.I. Le Marquand:

Well, I have concerns in relation to this, because as I understand it, unless it has changed very, very recently, there is a cap on the total amount that is paid out in any given year, and that cannot be satisfactory. It cannot be satisfactory that people cannot get what they should get simply because the fund has run out of money. So, that is an issue that has concerned me for a long time. It concerned me as a Magistrate, and I am still concerned about it. But again, will I be able to get funding? I shall try.

6.1.7 Senator S.C. Ferguson:

There is anecdotal evidence that the Rehabilitation of Offenders Law is not working. The last Assembly requested the Minister to review this but we have not seen any sign of it. What priority would the candidate give this review?

Senator B.I. Le Marquand:

Well, I am afraid there has been a problem and I feel it is right from the start and the problem is partly technical because there does not seem to be the resources to be able to properly go through records and to determine what is spent and what is not spent. That is the fundamental problem. It is made worse by the fact that we have our own criminal record system which runs in parallel with the national ones. I have to say that alongside other priorities, and there are so many others, it is going to be fairly low down my list. That is an honest answer.

6.1.8 Deputy R.G. Le Hérissier:

The Minister mentioned Haut De La Garenne, what steps and what actions will he take to deal with the aftermath of the Haut De La Garenne affair?

Senator B.I. Le Marquand:

That has lots of different aspects. I am firmly committed to appropriate resourcing of the police investigation. I am firmly committed to appropriate resourcing of necessary prosecutions in relation to that. There are wider issues ... it is not going to be my decision alone, is it? Issues of apologies to people who may have been wrongly treated; that is not going to be my decision alone, I do not think. There are wider issues but I do not think I can answer that more satisfactorily, I am afraid.

6.1.9 Deputy T.A. Vallois:

Can the candidate say if he believes that the States Police are adequately funded and have enough staff for modern-day policing for the community?

Senator B.I. Le Marquand:

Well, I do not know the answer to that yet. I highlighted in my speech 2 areas of potential difficulty: the area of growth in terms of the child protection aspects and also the general fact that the funding is not enough to deal with the actual total establishment. But until I get in and start looking at the accounts and the figures and so on, I cannot tell you that. I know that generally the feeling among politicians is that the police may be overfunded but that may well not be right and I cannot really comment until I have looked at the detail.

6.1.10 Deputy J.A. Martin:

He did not mention this in his speech, would the Senator comment on if he feels that the makeup of the Prison Board of Visitors is right being that they are all Jurats and if not, does he have any intention of changing it? Thank you.

Senator B.I. Le Marquand:

Yes, that is an interesting question, at the moment it is Jurats. The Jurats... I feel it does not cause too much of a problem. There was a suggestion at one stage that the Magistrates fulfil that role so that they were more distanced. I do not have a strong view on that. Technically, it would be better if it were someone other than the Jurats doing it, but I do not have a strong view.

6.1.11 Deputy M. Tadier:

I welcome Senator Le Marquand's speech, particularly the area of binge drinking which I would have asked about otherwise. The question I want to ask regards the Prosecution Service and the possible conflict of Centeniers with charging, and will you consider the Crown Prosecution Service mechanism or something similar? I would add that I am a supporter of the honorary system but this is just one area I have concerns about.

Senator B.I. Le Marquand:

I assume the question relates to whether I am in favour of a public prosecution service for all cases. I assume that is the question. The answer is: no, I am not because I think it is very important we keep the role of the Centeniers as a lower level. The point is this: we have a diversionary procedure

dealing with young people in particular at a lower level without them having to go through the Youth Court and it is an absolutely vital part of that that they retain their role of prosecutor. There is also the ability to deal with low-level fines and all that kind of thing which again is an adjunct of them being a prosecutor. So I support the appropriate use of Centeniers as junior prosecutors. **[Approbation]**

6.1.12 Deputy P.V.F. Le Claire:

Could I ask the Senator about the Howard League for Penal Reforms review? Specifically, they recommend that Jersey should develop a child-specific Criminal Justice Policy, does the Senator agree?

Senator B.I. Le Marquand:

I am not sure what that means. There has always been a Criminal Justice Policy, if you like, for children. Courts have always dealt entirely differently and I do not know what that means in detail, I am afraid. I cannot answer the question because I do not know precisely what it means.

6.1.13 Deputy G.P. Southern:

Does the candidate not perceive that there may be a conflict of interest in him so directly and immediately going from the Magistrates' bench to a Ministerial position? It is almost the reverse of Nolan principles that nobody should move into an area which is adjacent to where they have just recently been working. Do you see this as conflict, and what measures will you take to avoid any obvious conflicts of any interest?

Senator B.I. Le Marquand:

No, I do not see a conflict for the simple reason that my role as judge was to be fair. I sought always to be fair and to hold the balance, and so I defy anybody to say whether I would be too biased in favour of the prosecution or too biased in favour of the defence on the basis that my role was always to hold the middle line. No, this is a different kind of role. I am working here in a public sector with public employees and civil servants. It is an entirely different role. I cannot see any conflict. If I perceived it a conflict I would not be standing.

6.1.14 The Connétable of St. Brelade:

We have in the Island 3 community officers and it has been indicated to me that their presence has a remarkably positive effect on controlling youth behaviour. Does the candidate consider that more emphasis ought to be put on the creation of more community police officer roles in Jersey?

Senator B.I. Le Marquand:

I assume that you mean States Community Police Officers because in a sense Centeniers are all community police officers. Yes, if resources allow. They have been going through a review in Guernsey, as I understand it, in order to try to have more local resources in that kind of way. It is all simply resourcing issues. It is yet another desirable thing to achieve.

6.1.15 Deputy J.B. Fox:

I ask the candidate in relation to the Safer St. Helier and there is a Safer St. Helier Group and obviously concern by the Deputies of what steps, if he becomes Minister, would he consider taking to additionally support St. Helier and its behavioural problems, especially during the day and obviously at night we know about. Thank you.

Senator B.I. Le Marquand:

Well, there are particular issues in relation to enforcement of distinct Licensing laws. I was astonished to find that the police were under the impression in recent years that the test of drunkenness was the test virtually of drunk and incapable rather than the one which I had always understood to be that, so we need to be ensuring that there is proper enforcement. Now that is

going to require the Police Licensing Unit to be strengthened or more energy to go in relation to that. I think that much of our problems on the streets are related to public drunkenness which results from what happens on licensed premises but not exclusively so.

6.1.16 Deputy C.H. Egré of St. Peter:

The role of a police authority is to hold the police accountable to the society that it serves. In the United Kingdom the Police Authority is made up in quite a broad church including members of the council. What would be the Senator's desired makeup of any such Police Authority in Jersey?

Senator B.I. Le Marquand:

Well, I have not thought about that. Thank you for asking me that. I think you would want to have sensible members of the community but you also want to have people who have some knowledge in the area but without having a particular axe to grind so they are truly representative of sensible opinion.

6.1.17 Senator B.E. Shenton:

Would the Senator not agree that it is about time that we sent drug smugglers and other criminals back to their home countries to serve their sentence rather than be a burden on the Jersey taxpayer? **[Approbation]**

Senator B.I. Le Marquand:

Yes, I think that is right where that is possible. In fact, I was asking the learned Attorney recently where this particular piece of legislation had got to, to do with enabling people to do that and I shall continue to ask him the question. **[Laughter]**

6.1.18 The Deputy of St. Mary:

The candidate has made reference frequently to the issue of resources and he has mentioned child protection, rehabilitation at the prison, police establishment and probation as all being areas where we will need more resources and I wanted to ask him whether he will put those resources, the need for those resources, above the perceived need to restrain taxation. In other words what matters more: this Assembly's duty of care to the people who are affected by these various areas or the perceived need to restrain taxation?

Senator B.I. Le Marquand:

Well, that is going to be a matter for the Assembly to decide, is it not? The duty of a Minister, surely, is to try to obtain the appropriate resources to do the things which his departments are charged to do and for this Assembly to decide whether they get those resources or not. **[Approbation]**

6.1.19 Deputy J.M. Maçon of St. Saviour:

The candidate mentioned binge drinking culture: this includes the young and the considerably older. What kind of initiatives would the candidate support in order to change this culture, as changing culture can be quite difficult to do?

Senator B.I. Le Marquand:

Yes, thank you for that difficult question. I was asked the question on Channel TV how I would change the binge drinking culture and I said: "With great difficulty" and that is an honest answer because it is very difficult to turn around a culture such as binge drinking. It has to be partly educational; it has to be partly criminal justice; it has to be partly Licensing; it is going to require a lot of different groups to work together effectively. It is not going to be an easy thing to do.

6.1.20 Deputy A.K.F. Green:

The Senator mentioned the need to improve sentencing options for offenders under 15, I just wondered if he would share with us some of his views on what options he would like for the under-15s.

Senator B.I. Le Marquand:

Well, this is a difficult area and ultimately it will be for the House to decide; it is a nettle that needs to be grasped. The sad truth is that we have always had a hard core of youngsters aged less than 15 who do not respond to any positive measures who carry on offending, who hurt other people, who break into people's houses, *et cetera*, and, sadly, there is a need ultimately for those after appropriate statutory safeguards to be able to place them in Greenfields on some sort of order. I have had endless discussions with the Probation Department and others about the details, and I will not go into that, but it is needed. The courts have been asking for this for 7 years.

The Deputy Bailiff:

So, another 3 minutes to go. Deputy Jeune.

6.1.21 Deputy A.E. Jeune:

Does the Senator have a view on health issues and provision of health care of prisoners, in particular, mental health issues?

Senator B.I. Le Marquand:

This is a very difficult area. My perception as Magistrate is I am afraid that the criminal justice system in Jersey was being used to a degree as a dumping ground for people who are psychiatrically ill. That may be a bit harsh upon medical services because they have a great difficulty because they do not have secure units and they cannot in a small place provide the range of small units. But frankly the medical services must try harder. We have far too many people who are ending up in prison who elsewhere would have been cared for in some sort of institution.

6.1.22 Deputy T.M. Pitman:

Though a great supporter of both the uniformed and Honorary Police, could the Senator tell us if he believes that on quite a few occasions there is perhaps a more heavy-handed or should we say less tolerant approach sometimes to minor anti-social incidents with young people as opposed to adult counterparts?

Senator B.I. Le Marquand:

I do not know the answer to that because they have to go to court. The problem I suppose is this: that older people are less tolerant of the behaviour of young people who may be just larking about and it seems to be you have to get a sensible balance here to know when youngsters are just larking about or when they really represent a threat or worrying people. But police officers always say that they come under pressure from politicians and other people to be stronger than they really need to do.

6.1.23 The Deputy of St. John:

A bit of luck to get a second question in. **[Laughter]** We have seen several prison governors in recent years who have left through reasons being lack of funding from the States within the Prison Service. Do you believe that being a team member - as the new Chief Minister has collected a body of people together as a team - you will be able to get the funding you require?

Senator B.I. Le Marquand:

I have no idea. Senator Ozouf who has been provisionally appointed today has promised me that he would come and visit the prison; he would help me get more resources. I do not know if he really will. I live in hope.

6.1.24 Deputy R.G. Le Hérisier:

The U.S. (United States), Britain and I think Albania and Jersey have some of the highest imprisonment rates in the world. How would the proposed candidate deal with the high rate of imprisonment in Jersey? Is there any other way of diverting it or are we stuck with a certain category of prisoner? **[Laughter]**

The Deputy Bailiff:

Very well. So, Senator, if you would be kind enough to withdraw and for Senator Syvret to come up. Very well, Senator, when you are ready I invite you to address the Assembly.

6.2 Senator S. Syvret:

Let me say first of all that one thing I promise at the very outset is that when I am arrested under the Official Secrets Act I promise not to try and put any undue political influence over the police force. I am contesting this post with a great deal of reluctance and sadness because I think this is one of those seats that really should have been contested. There are plainly a number of Members in this Assembly far better placed than me to contest this particular position, and I have to say I am very disappointed that those with policing experience, or perhaps one of the Constables or frankly anybody apart from me **[Laughter]** did not go for it. But frankly such is the nature of the issues and the seriousness of them that I really think it would be doing the community a disservice if this post had been uncontested so that there was no discussion of the issues and exploration of different policy ideas. Some Members may well ask: "Are you not conflicted in this post?" given the Official Secrets Act issues as I have just mentioned, data protection, the various possible - well, in my view - the manifestly criminal practices that were engaged in by my department when I was in charge of it. The answer to that question is: "Yes, I am conflicted." Without question, I state that quite plainly now. But the fact is, and this is the reason why I am contesting this post, that Senator Le Marquand is even more conflicted in this post for a number of, I think, well-known grounds. Now Senator Le Marquand is, I am sure, a good man, and I make no comment or criticism of his integrity. But he is very, very deeply conflicted in this matter. The role that the Magistrates Court played in the policies, driving forward the policies of jailing children in colossal numbers and indeed holding them under lock and key is, I am afraid, a key component of the whole child protection failure scandal. It is also the case that a former close colleague of Senator Le Marquand remains under investigation. But most fundamentally I have to put it to the Assembly that Senator Le Marquand's philosophy, his approach, his attitude to jailing children is simply obsolete, dangerous and quite counter-productive. This is the year 2008. How can we realistically and rationally endorse a policy approach to dealing with children who get in trouble that has an 80 per cent failure rate? What is rational about that policy? It may well satisfy the instincts of some people for retribution and punishment but the inescapable fact is that such a policy just does not work, as a number of my constituents will attest who currently languish in the La Moye Prison following frankly catastrophic childhood experiences. I am sorry, but I think Senator Le Marquand is simply the wrong man for this job in the year 2008; neither does he have any Ministerial experience. But I think perhaps the most concerning issue of all that made me have to contest this post is that he has made no secret of the fact he wishes to bring the police force under direct political control. He said this quite plainly to the media at the time when he declared as an election candidate. I subsequently had some correspondence with him via the pages of the *Jersey Evening Post* which caused him to row back from his statement and to revise it somewhat. But still the fact remains this is a Senator who believes that in this day and age there should be direct political control over the police force. It is absolutely preposterous. If by some chance I were to get this post, I guarantee 100 per cent that there will be no political interference, no political pressure, no political direction on the police force whatsoever. Every other police force the length and breadth of the nation operate independently of direct political interference and pressure and that is just how the States of Jersey Police Force should conduct itself, as I made clear in that correspondence I referred to. It is absolutely correct that governments, politicians, legislatures set the laws and the

policies that put in place the framework by which the police forces operate, the laws they enforce, how they go about their business in terms of human rights compliance, *et cetera*, and meeting the expectations of the community, being accountable for the money that they cost. Yes, all of those issues are rightly the purview of the political. But that is as far as it goes. Once those policies and frameworks have been set the notion of day-to-day political interference with the police force, or even just routine political influence and involvement, is utterly unacceptable and an astonishingly backward policy for this year. We are in the 21st century. What would I offer, what would I propose were I to get the job? I guarantee a few things. No political interference with the police force whatsoever: that is the fundamental difference I think between our candidacies, (2) I guarantee an absolutely independent Police Complaints Authority. The proposals which have languished unenacted since 1999 must finally be grasped and put into force and it is indeed via the independent Police Complaints Authority that the police will in fact be subject to the appropriate area, appropriate degree of oversight and scrutiny. An independent Police Complaints Authority, a policing authority, is precisely the body we need, not a politician who is some barrack room lawyer who wants to be telling the police what they should and should not be doing every week. A full review of all law enforcement issues to ensure compliance with the European Convention on Human Rights, a lay visiting scheme for the police station and the prison, and a great deal of more external scrutiny and inspection. I know that the police force and the prison do in many respects lead the way in this compared to much of the other public administration of the Island, but I am sure that that external inspection and scrutiny could be strengthened yet further. I want a modern police force that is accountable in the appropriate ways. I want the whole criminal justice system to operate rationally to produce the best outcomes, and I want to see punishments given to those who deserve them. Children from wrecked, savage backgrounds being put in prison at the age of 13, 14, 15, whatever it may be, for weeks, months at a stretch, sometimes even in solitary confinement, is entirely the wrong target and the wrong focus of law enforcement and a Criminal Justice Policy. Certainly, if I succeed in this post I will want to see an end to the kind of thing we see on the front page of the *Jersey Evening Post* to date. A man who admitted kicking, choking and punching a 10 year-old girl sentenced to community service. It is absolutely preposterous. We need to have a clear, properly accountable, democratic influence over court sentencing policy. Much more clear guidelines, laws and decisions should be laid down by this Assembly. We want criminals to be punished. We want them to hopefully be rehabilitated and turned from a life of crime, a damaging and destructive life, but we also want, I think, a modern, coherent, consistent and rational approach to law enforcement and community safety. That would be the basis of my candidacy and I am willing to answer any Members' questions.

6.2.1 Deputy T.M. Pitman:

One of the first things I learnt as an education professional was the need to work with young people rather than upon them. Could the Senator outline for us how he would set about working with damaged young people in a positive restorative justice approach rather than just locking them up, particularly with regards to the Health and Social Services, and the Education Ministries? Thank you.

Senator S. Syvret:

Certainly there is clearly a great need for a complete restructuring of the whole approach to child welfare, child custody, youth justice, child protection. Clearly, the Kathy Bull... and this is not a criticism of Cathy Bull; her report is very good - but the implementation that we did of it I am afraid clearly has failed, so there is a need for wholesale revision. Certainly, my view is that young people have to stop being immediately regarded as a problem, a nuisance, an irritation to society and should instead be regarded as and treated as human beings with respect. If the agencies of the State, be it Education, Social Services, the Centeniers, the States Police, whoever it may be, if these agencies cannot treat children like human beings, then who can? Who are we going to look to? Because we have to remember that there are a lot of children in trouble who do bad things that they

need to understand have consequences: vandalism and other kinds of criminality. We have to also bear in mind that many of those children will be coming from utterly and appallingly dysfunctional backgrounds.

6.2.2 Deputy R.G. Le Hérisier:

Given what the candidate has said about children coming from dysfunctional backgrounds, would he argue for intervention at a much earlier age and does he believe that those approaches would indeed work and could well save people from the criminal justice system?

Senator S. Syvret:

Yes, I most certainly do. I am extremely displeased with the outcome of the report by the Howard League for Penal Reform which I negotiated for them to come and undertake. They have praised some features of Jersey's youth justice system such as the Parish Hall Inquiry as an early intervention method, which is an excellent and wholly admirable method of early intervention in an effort to divert children from the criminal justice system. So, Members can be absolutely assured I have no difficulty with that. As far as perhaps more direct involvement in early intervention, more frontline social workers, parenting skills, earlier intervention into dysfunctional problem families, absolutely yes, without question.

6.2.3 Deputy P.V.F. Le Claire:

The Howard League for Penal Reform review is on our desks today and one of the recommendations is that Jersey should develop a child-specific Criminal Justice Policy. Would the Senator please explain what that means and whether he is in support of it?

Senator S. Syvret:

Indeed, what that means is a Criminal Justice Policy - a Youth Justice Policy - which is designed from the bottom up taking into account the particular needs and issues involving children. At the moment when looking at child justice, child custody issues, child law enforcement, the policies and laws that get put in place by legislatures and executives tend to be topped-down extrapolations from the adult criminal justice system. I do not think that is adequate. We learned hard lessons. I think there is, clearly, a need to greatly improve our approach to dealing with troubled children and a dedicated child-centred, bottom-up focus to producing new legislation is what we need.

6.2.4 Deputy T.A. Vallois:

Can the candidate say if he believes that the States Police are adequately funded and have enough staff for the policing of the community?

Senator S. Syvret:

To be perfectly honest I cannot give a totally accurate answer to that question. The Department of Home Affairs, as a whole, has a total of 670 staff and a budget approaching £4-6 million. I am not that familiar, I freely admit, with the intricacies of the department but I can assure the Deputy that, were I to be successful in this post, I would undertake a comprehensive blank sheet accounting exercise to completely look at the cost benefits and efficiency of all of the departments that come within the ambit of Home Affairs. If it were the case that, following such a detailed study, more resources were needed for policing, or Customs, or Immigration, the Prison - well, the Prison, certainly, needs more resources - if the evidence showed that such resources were needed, additional resources, I would have no hesitation in fighting for them.

6.2.5 Deputy M. Tadier:

During the Senatorial hustings there was mention of the term "Department of Justice" being set up. I would just like to know what the Senator's views are and what he understands by that; whether he is in favour of it?

Senator S. Syvret:

Again, I cannot answer that question at the moment. A Department for Justice, perhaps; perhaps not. We have to bear in mind we are a very small jurisdiction with limited degrees of resources and a limited public administration infrastructure. Whether the creation of an entirely new department is necessary I just could not say at this stage without giving the matter more detailed consideration. But, in terms of the general issues concerning the administration of justice, do we need to change? Yes, indeed, we do. There has to be, without question, a clear and unambiguous separation between the judiciary and the legislature. That overlap cannot continue even if Members wanted it to continue. Sadly it is going to end sooner or later and our position is this; we either do what Sark failed to do and face up to the inevitable and make the changes ourselves or, ultimately, we sit on our rears until it gets imposed upon us.

6.2.6 The Deputy of St. John:

In an Island with 13 police forces can the Senator explain how he would put in place a police authority?

Senator S. Syvret:

Quite simply by introducing the appropriate legislation that would bring all policing under the ambit of the Police Complaints Authority, the policing authority. Certainly, I fully support the Island's Honorary Police. It is an excellent tradition. I have already mentioned it in respect of the praise that was given to honorary policing in the Howard League Report, but if the Honorary Police forces wish to continue to survive into the future, delivering the community services that they do, they would have to understand there is a need also to perhaps evolve a little and to modify the way they do things, the regulations under which they operate and so on. Frankly, if the Honorary Police forces of the 12 Parishes do want to, as I am sure they do, be taken seriously as a legitimate part of the Island's policing infrastructure then I cannot see why they would have any difficulty being agreeable to come under the ambit of a policing authority.

6.2.7 Deputy A.E. Jeune:

Does the Senator have a view on health issues and provision of health care for prisoners; in particular, mental health issues?

Senator S. Syvret:

I certainly do. There was a detailed report done into this very topic 2 or 3 years ago and it said, quite plainly, that health provision, health care provision, for people in custody was atrociously inadequate. I, without hesitation, agreed fully at that point to hand over some of my resources and my budget to the then Minister for Home Affairs in order to invest in improved health care for people in custody. That happened but whether it is enough is another question entirely. Certainly, there has to be good and thorough health care available for everyone in custody just as there has to be a much, much better provision of education services for both children and adults who are in custody because educational failings is one of the prime causes that prevent people from getting out of a cycle of societal dysfunction. Frankly, the standards of education being delivered to both children and adults in custody is atrocious, so there is a great task to be done there.

6.2.8 The Deputy of St. Martin:

There is still much mistrust between the Customs Officers and the States Police following the mishandling of the issue by the former Minister for Home Affairs. If, indeed, the Senator becomes the Minister, what steps can he take to reconcile the 2 parties?

Senator S. Syvret:

Obviously, were I to become the Minister, I would speak to both groups indeed as I would speak to all staff groups and develop a clearer understanding of what exactly the issues were and how things could have got to such a pitch. In terms of getting directly, politically involved, I have to say I

would need to look very, very carefully at the facts of the matter because if, hypothetically, for arguments sake, somebody at Customs or Immigration was under Police investigation for possible potential offences, then that, as I have said, is a matter for the Police and would not be an area that remotely merited any kind of political interference.

6.2.9 Senator S.C. Ferguson:

There is anecdotal evidence that the rehabilitation of offenders is not working. The last Assembly requested the Minister to review this but we have seen no sign of the review. What priority would the candidate give this?

Senator S. Syvret:

I would give that very high priority. I forget which year it was when the Rehabilitation of Offenders (Jersey) Law was brought to this Assembly. I supported it then, I supported it throughout. It is a somewhat slow evolution and, certainly, I think the prevarication and the failure we have seen to advance the effectiveness of that legislation in recent years is something that does, indeed, have to be grasped.

6.2.10 Deputy G.P. Southern:

Would the candidate explain to Members how he would use his previous experience at Health in administering and deciding about the competing calls for funding that take place at the Department for Home Affairs?

Senator S. Syvret:

My view to these issues of departments seeking more funding, how they are spending their money, in which area they are spending it, why they are spending it and so on, the answer to all of these issues, as far as I am concerned, is freedom of information. The States of Jersey is hopelessly backward when it comes to public access to information. The fact that we still do not have a Freedom of Information Law in place, given that the Assembly agreed to the principle of such a law quite some years ago now, is a grave disappointment. It seems to me that all of the detail of the workings of departments, cost benefits, analysis, *et cetera* must be on the table for public scrutiny and then States Members and members of the public who, after all, are paying for these services, will be able to see what is being done with each of the pounds that they have spent. As far as my previous experience is concerned, I think all that would be appropriate for me to say at the moment is that I have learned a great deal from those experiences.

6.2.11 Deputy D.J. De Sousa:

I wonder, does the Senator believe it is a positive and viable initiative to implement a children's or young people's Minister who would be linked to all issues that arise from damaged children?

Senator S. Syvret:

The idea of a Children's Minister as opposed to a Children's Commissioner is extremely valid and merits a good deal of thought, but the previous questioner asked about my past experience and this is something I have learned from my past experience which bears very, very strongly upon this matter. The facts of the matter are that there is a catastrophic failure and an inadequacy in, frankly, all of Jersey's public administration to be subject to effective checks and balances [**Approbation**] and that is why things go wrong, go badly wrong sometimes, and they are not picked up at an earlier stage. So, if there is a dedicated Children's Minister, an authority, a Children's Commissioner, put in place with particular responsibility for child welfare, their role must not be executive in terms of delivering children's services because that is the totally inappropriate conflict of interest that exists at the moment. Their role would be purely the oversight, the regulatory, the enforcement of proper standards of the treatment of children by other agencies.

6.2.12 Deputy K.C. Lewis:

Is the Senator in full agreement with the findings of the Howard League for Penal Reform?

Senator S. Syvret:

Yes, indeed, I am. While it has been criticised by some Members of this Assembly as being too liberal, I come back to the point I made earlier. The customary traditional approach to youth justice, child custody simply does not work. How could any person, in all rationality, endorse a punitive and damaging approach to dealing with children who have broken the law that inflicts further harm on those children - psychological and emotional and social harm - and yet, at the same time, has an 80 per cent failure rate? So, yes, I do agree with the findings of the Howard League Report and, as I said earlier, we need to start recognising that children who have ended up in trouble, going off the rails, are human beings and they are usually human beings who have been failed already by those who should have been caring for them and nurturing them and guiding them.

6.2.13 Deputy P.V.F. Le Claire:

The Criminal Compensation Scheme is kept, at present, and woefully inadequate in serious cases where people sustain life-changing incidents. Does the Senator agree with my view that that funding should move from Home Affairs to the centre of the Council of Ministers expenditure and be set aside ahead of any bids for funding?

Senator S. Syvret:

Whether that budget ought to be retained in any particular department other than, perhaps, the Treasury, is an interesting question. Certainly, are the levels of criminal injury compensation available at the moment sufficient? No, they are not. As the Deputy correctly points out, people can suffer profoundly damaging, life-changing criminal incidents and the sums of money involved - £100,000, whatever it may be - is the maximum-capped level. While that may sound like a great deal of money, if you have been crippled in an assault or something of that nature, one of your loved ones, one of your family members has been profoundly harmed, that simply is not anything like approaching an adequate sum. But, as with all things, one can point at these provisions and say we should spend more money on it but we have to be realistic. Good idea, but where would the money come from?

6.2.14 Deputy R.G. Le Hérisier:

Does the candidate believe that it is virtually impossible, in a small society, to avoid conflicts of interest?

Senator S. Syvret:

It is certainly near impossible to avoid conflicts of interest. It is probably, accurately, impossible to avoid conflicts of interest totally but there are 2 things we need to do. We have to recognise and be much more open and willing to accept where conflicts of interest exist, be open about them - that is one of the first safeguards that any public administration ought to adopt - and we must do all we can to minimise those conflicts of interest. So, yes, without question, conflicts of interest in a small community like this are very, very difficult to avoid and for that reason that means we need to be even more vigilant about both transparency, as far as conflicts are concerned, and the need to do all we can to minimise those conflicts.

6.2.15 The Deputy of St. John:

We have seen, over a number of years, the replacement of several prison governors who left because they could not get necessary funding for works at the prison. Therefore, you would need to be a team player to convince the remainder of your colleagues to get the necessary funding. Do you think that you could fit in as a team player?

Senator S. Syvret:

That is an accusation that is often put against me. I would point out to Members I did run the Health and Social Services Committee, back in the committee days, for 2 terms without any difficulty or controversy whatsoever, so I do, in fact, fully agree with working as a team. But, there is another side to that point. It is no good being a team player if that means not doing what is right and the correct and proper thing to do because some of your colleagues do not like it and do not want it. There is a balance to be struck and sometimes speaking out against the group-think instincts of a committee, bodies like the Council of Ministers and so on, is what is needed and is in the public interest. There is a balance to be struck but just to imagine that to always go along with the herd instinct for fear of not being called a team player, I am afraid is not to understand our role and in terms of what we need to do for the public good.

6.2.16 Deputy A.E. Jeune:

Would the thing be [Laughter] that ...

The Deputy Bailiff:

Very well. If Senator Le Marquand can be bade to return to the Assembly and then I request that ballot papers be handed out. Very well, then, I request that the ballot papers be - oh, we still do not have Senator Le Marquand. Well, perhaps you could begin to collect the ballot papers. We will await his return before finalising them.

The Deputy of St. John:

I do not know if it is a point of order or not but could not the candidates be put in your robing room instead of right at the other end of the building because they seem to get up here out of breath before they can start their speech?

The Deputy Bailiff:

The robing room is used for counting the ballot, unfortunately, but we will see if there is anywhere else. Have all Members handed in their ballots? Very well, I invite the Deputy Viscount and the Attorney General to count them.

7. Social Security Ministry

The Deputy Bailiff:

Senator Le Sueur, as far as you are concerned, are you content to move to the Social Security matter before the result of this one?

Senator T.A. Le Sueur:

I will be content, Sir, if the 2 candidates are equally so.

The Deputy Bailiff:

Senator Syvret?

Senator S. Syvret:

I am content, Sir.

The Deputy Bailiff:

Senator Le Marquand? In other words, you are content to move on? Very well, in which case, I invite nominations for the position for Minister for Social Security. Senator Le Sueur.

Senator T.A. Le Sueur:

In accordance with the list I propose Deputy Ian Gorst of St. Clement as Minister for Social Security.

Deputy I.J. Gorst:

Thank you, Sir.

The Deputy Bailiff:

Are there any other nominations?

Senator A. Breckon:

Sir, could I propose Deputy Southern?

The Deputy Bailiff:

Is that seconded? **[Seconded]** Are there any other nominations? Very well, then, Deputy, if you would you be kind enough to step out. Yes, then, Deputy Gorst, I invite you to address the Assembly.

7.1 Deputy I.J. Gorst:

One of the fundamental roles of government must be to ensure that those in greatest need are supported. In fact, a test of any civilised society should be the strength of its support system. That system must strike a balance between providing for those people who, through no fault of their own, are not able to meet the everyday costs of a modest lifestyle and, at the same time, ensuring that any support system encourages people to help themselves. Some western societies have faced difficulties with their social support systems in that, although they may help those in need, the systems in place seem to act as a trap not only financially but also in terms of the aspirations of the recipients. In addition, the systems can be cumbersome to manage and open to manipulation and fraud. My vision of an effective support system is one which not only acts as a safety net but also enables and encourages recipients, wherever possible - and I acknowledge that for some, such as the elderly, this is not possible - to re-enter the work force and become productive members of society. Last year, Professor Strafford's review concluded strongly and clearly that work is good for us. We also saw, only yesterday, the U.K. Government issue a White Paper on benefit reform, the basis of which was that work is good for you. A benefit culture not only costs the State money but, more importantly in my view, it is a waste of a community's and an individual's talent; the talent of those who could and would like to work and to make a positive contribution to society. The past 3 years have seen a great deal of change at the Department of Social Security with the introduction of income support, a mammoth undertaking whereby 14 benefits were rolled into one, in effect creating a one-stop-shop approach. I would like to thank all those members of the department who have worked hard and continue to work hard, not only on the design and implementation but also on the delivery of income support. The size of this task should not be underestimated. As a Parish Deputy I am aware that income support is not without its critics. In fact, I help many parishioners who have encountered difficulties. Some of the older members of our community have struggled to understand the new system or to complete the application forms. I would like to see designated customer service staff trained to specifically help the elderly and, indeed, also to help those with disabilities. Any new system will always have teething problems and will never perfectly meet all recipients' aspirations from day one. It should, however, be remembered that the basic principles underlying the new income support system were approved by this Assembly. Any changes or amendments must only be made based upon evidence and experience and within budgets which have been approved. Members will be aware that a substantial review of income support has already been approved for 2010 and I look forward, if elected, to working closely with Scrutiny on that review. The Department of Social Security has always involved itself in long-term planning and the next 3 years will be no different. There are 3 major areas where long-term planning will be of great importance. First, long-term care. I would like to start by congratulating Deputy Le Hérisier and his sub-panel for the recent report on long-term care for the elderly. It is, in my view, an excellent and thoughtful report which recognises that it is not just about money but also about care and community and about valuing the aged and the

infirm. It is my view that this matter should have been tackled before now, however, as others are keen to say, we are where we are. This will be one of my top priorities. Those Members who have read the report will know that the first recommendation suggests the establishment of a working group to include the Minister for Social Security and to report its findings to the States by 30th June 2009. I can confirm that, if I am elected today, I will endeavour to implement this recommendation and again look forward to working with Scrutiny on this issue. In time, of course, this will lead to consideration of our response to the change that will come in a demographic spread of the Island's population. Secondly, supplementation has again, during 2007 and 2008, come on to the political radar. The Department of Social Security is in the final stages of the review. It is important that this review be evidence-based and assists Members in understanding not only what supplementation is but also the forecasting required for the States contribution. As is often the case with these things, I am certain that this is not as straightforward as it might appear and consequently it is unlikely that the solution will be straightforward either. However, it is important that the States has further information on this. Again, I hope that Scrutiny will have an input into this important area of pensions for the future. Thirdly, skills and training initiatives. The Minister for Social Security plays a vital role in the newly formed Skills Executive. Training and skills are fundamental to getting people back to work. To be effective we need not only to understand the demands of employers but also the training requirements of those out of work. Members will remember that during a recent debate I talked about my concerns regarding youth unemployment in the Island. I have no evidence to suggest that this situation has improved. In fact, I suspect that things have probably become worse. It is important that we understand and address the problems our young people are facing with regard to finding and retaining permanent employment. There are a host of other issues that I would like to address but I am conscious of time. I will, therefore, mention some of them only briefly. In the short term, I would like to see the Health Insurance Law change to allow G.P.s to employ practice nurses and gain a small refund for each patient consultation. I would expect this change to be undertaken in consultation with both G.P.s and the Department of Health. I continue to be grateful to the Assembly for supporting the employment strategy for those with learning difficulties and on the autistic spectrum. I will ensure that the money that the Assembly approved is spent wisely and creates hope for that particular section of society. I intend that the department should work more closely with J.E.T. (Jersey Employment Trust) and J.E.N.D. (Jersey Employers Network on Disability) to encourage and equip employers to consider employing many more people with disabilities. I believe that the department, together with J.E.N.D., can play a leading role in raising the profile in this area. The Jersey Pension Scheme, as it currently stands, is soundly funded in the short to medium term. It is, as Members are aware, a scheme linked to earnings, an approach suggested by the Turner Report for the U.K. Pension Scheme. However, as that report also warned, a review of the retirement age will need to be undertaken due to the increasing demands of an ageing population. One suggestion is to encourage or allow a flexible retirement age of, say, between 65 and 67. I would also like to work with the Department of Income Tax to explore tax incentives to encourage and further encourage people to save privately for their retirement. The department, in the past, has not always been as good as it might have been in making members of the public aware of the help it can offer them. I will take steps to address this. Further, I can reassure Members that, if they elect me today, I will always have an open door. I would like to introduce "meet the Minister" days within the department - which will, of course, include the Assistant Minister - not only for staff but also for members of the public who access the department's services. I look forward to a constructive and ongoing relationship with Scrutiny. On Monday, disparaging remarks were made about accountants. **[Approbation]** So, in concluding, may I say that I have not always been an accountant living in Jersey. In the past I have, in fact, spent some time unemployed and needing the respite of benefits. I understand what it is like to require help with every day living and how hope can slowly drain away. I also understand that, with the right assistance and opportunities, one's life can be turned around. I stand committed to ensuring a fair, affordable and sustainable social protection system which promotes social inclusion and helps keep people out of poverty

while promoting opportunities and work for all who can. I thank Members for listening and ask that they support me for the post of Minister for Social Security. [Approbation]

The Deputy Bailiff:

Now I am in a position before questions to announce the result of the ballot for Minister for Home Affairs. The votes cast are as follows; Senator Le Marquand 34 votes, Senator Syvret 18 votes. I therefore declare that Senator Le Marquand is elected as Minister for Home Affairs. Now then we come to questions of Deputy Gorst. Deputy of St. John.

7.1.1 The Deputy of St. John:

Given that you, if elected as the Minister for this department, will have responsive prescriptions, will you put in place ...sorry, will the Minister ...

The Deputy Bailiff:

Deputy, you are an extremely experienced Member of the Assembly [Laughter], I know you have been away for a while, but ...

The Deputy of St. John:

You are absolutely right and I have to speak through the Chair. You are absolutely right. So, given that the candidate is looking for this particular Ministry, will the candidate give us an assurance that he will review the way prescriptions are dealt with, given that the system is being currently abused?

Deputy I.J. Gorst:

Thank you. I am not the sort of politician or person that likes to continually revisit decisions, however I am afraid I am going to have to say that this was not a decision taken by the previous Minister with which I have wholehearted agreement, and I am committed to seriously considering whether we should reintroduce a charge. I want to obviously consult with the department and those individuals affected because I am aware that some people feel it was a step forward, but I believe that the Health Insurance Fund which is a fuller fund, shall we say, at the moment, it can be used imaginatively to help with some of the issues that we have heard about throughout the course of the day with *New Directions*. I also believe, as Senator Perchard said, that often in society, if something is available for free, people give it no worth and therefore it will be one of my priorities to review this. Even if it is not introduced at the same level that it previously was, perhaps it might be that we should introduce it at £1 so that there is a token, so there is some benefit, people perceive there is a benefit in taking that prescription. Of course the other element to this is ...

The Deputy Bailiff:

Deputy, we are not going to have many questions ...

Deputy I.J. Gorst:

... we do not want it abused because some of the non prescription medicines are worth less than the cost of the prescription.

7.1.2 The Connétable of Grouville:

Given that as part of the income support system a proportion of the payment is made with regard to rates owed by the recipient to the Parishes, the Comité des Connétables have many times approached the department asking them if they would pay that directly to the Parishes instead of to the recipient. We are now faced with the situation where we are having to take many people to court - Petty Debts Court - in order to get our hands on this rates money. Could you please tell me whether you would be willing to alter the system so that, in fact, the rates are paid direct to the Parishes?

Deputy I.J. Gorst:

Not only have the Comité des Connétables been talking to the department about this but I also have on behalf of my Parish when it was first introduced. I understand that there are difficulties, so I do not want to give an undertaking to say that, yes, I am going to be able to ensure that it goes directly to the Parishes because I understand that there are issues. But what I will undertake to do is to meet with the Comité des Connétables and see if there is not a possible way through this to ensure that they are not faced with these demands that they are going to have to give to parishioners because that is not acceptable.

7.1.3 The Connétable of St. Peter:

Having been involved in Parish welfare until the introduction of the income support system, the direct relationship between the Parish and the recipient enabled us to identify any abuses of the welfare payment system. What steps would the candidate take to ensure that income support is not targeted by the persons intent on abusing that system as well?

Deputy I.J. Gorst:

I understand that the department has trained its - I think they are called Determining Officers - to ensure that there are sufficient provisions in place. However, with any system, it is always important to ensure that people are not enjoying benefits of that system fraudulently and I, for one, in this very place cast out of some of the centralising facets of income support. But we, as an Assembly, were persuaded that that was the right way to go for other reasons. I am aware that one of the great joys of the Parish system was that Connétables were able to know their parishioners and were able to make almost an instant determination. But I can give an undertaking that I will ensure that those safeguards are in place and continue to be in place and that perhaps there is even a place for continuing communication with the Parish if the department is aware that everything is not as it ought to be.

7.1.4 Deputy P.V.F. Le Claire:

Within Social Security there is an awful lot of money floating around between benefits and pensions. Given that the States have agreed that it should move forwards into the 18th century with G.A.A.P. accounting, what effect will that have upon the social services sector and what effect, if the States adopted F.R.S.17 (Financial Reporting Standard 17) from an accounting perspective would that have upon our position?

Deputy I.J. Gorst:

I do not want to turn into an accountant bore here, but there is a temptation to do that in answering this question. However, the Deputy may not be aware that the Social Security Department - I will follow Senator Perchard's lead, - is the first States department to prepare accounts which are U.K. G.A.A.P. compliant and I have a copy in my hand right here. That is positive and that is a real step forward and I congratulate the current Minister as he is for undertaking and ensuring that that happened. Now, if we turn to F.R.S.17, the Deputy might be somewhat confused because the States accounts are and will be compliant with F.R.S.17 but within F.R.S.17 there is more than one way that you can value a pension within your accounts. What we must not do is get confused with accounting standards and an actuarial valuation which might show the pension in a very different light and now really is not the time for me to go off on one addressing those issues. But I would be more than delighted to meet with the Deputy afterwards and indeed go off on one.

7.1.5 Deputy D.J. De Sousa:

What, if elected, would the Deputy do about L.T.I.A. (Long Term Incapacity Allowance)? At the moment when income support is being assessed, it is taken into account as earnings and these people, at the end of the day, are on long-term benefit not because of their own wish to do so.

Deputy I.J. Gorst:

It is quite difficult for me, on the hoof, to say that I am going to make a change without reviewing how it is affecting an individual case. Obviously the Deputy has cases that she feels it is perhaps affecting detrimentally. I am always, and as I said in my opening remarks, will have an open door and believe that benefits should be continually reviewed and I know that they are being continually reviewed. But it is only right and proper that income coming into a household is assessed so that the benefits are filtered down to those most in need and ensuring they are going where they should be. So I recognise that is not a satisfactory answer, but I am always prepared and will be prepared to look at this particular instance.

7.1.6 Deputy S. Pitman:

The loss of H.I.E. (Health Insurance Exemption) has resulted in many income support recipients having difficulty in paying for their doctor's fees and it is a fact that there are many recipients now who cannot pay for doctors, who are getting £5 a week. That is a fact. Does the Deputy recognise that this is a fundamental flaw in income support and how will he resolve this?

Deputy I.J. Gorst:

Yes, I am aware that there has been a lot of concern, specifically around the clinical element of income support and the operation of H.M.A. (Household Medical Account) replacing H.I.E. (Health Insurance Exemption). But we must remember that there are many complicated issues here; that some people have unfortunately got into the habit which is not necessarily advantageous to them with the number of visits that they make to a doctor or the number of house visits they have, but it is always imperative that people should feel they can freely go to the doctor and access either G.P.s or the hospital. So this is an area that I would be prepared to review. I know that the clinical element of income support is determined in consultation with G.P.s, looking at the clinical need of the individual applicant and perhaps if there are problems then that is an area that the department needs to look at again with G.P.s of specific cases. I just want to reiterate that I know that the department itself is always prepared for people who are encountering difficulties to go in and basically for them to have a look again at their particular case as I would be with the Minister. I can say that with certainty that that is the case because I have done that very thing in a number of cases with my own parishioners.

7.1.7 Deputy R.G. Le Hérisier:

Two of the issues that afflict welfare departments world-wide are fraud and welfare dependency. How would the Deputy approach those 2 issues?

Deputy I.J. Gorst:

They are indeed 2 of the very big issues that every jurisdiction and every social support system struggles with. As I said in an answer to an earlier question, the department is cognisant of both those issues and they do train their staff to be on the look out for that. One of the rationales for a unified system is to ensure that that is eliminated to the smallest possible level that it can. Rather than recipients having to go to Housing and then having to go somewhere else and then having to go to Social Security and then having to go to the Parish which leaves open the door to a little bit of fraud or perhaps telling one story here and one story there. One of the rationales for income support was it was all together and therefore they were more able to determine and ensure that there was not that fraud there. Sorry, could the Deputy remind me of the second part of his question?

Deputy R.G. Le Hérisier:

Welfare dependency.

Deputy I.J. Gorst:

Yes, that is really at the heart again of income support. It is encouraging people to get to work and I think I spent a lot of my opening remarks talking about those issues of encouraging people back to work and the State and the department has a large role to play in that; apprenticeships, training,

understanding the demands of employers and then training those people who are out of work or, perhaps in the current climate, who are going to find themselves out of work. We have an opportunity to train them and prepare them for when the economic upturn comes again.

7.1.8 Senator S.C. Ferguson:

One of the findings of P.A.C.'s report on the States Accounts was the less than ideal adequacy of the information systems at Social Security. What steps will the Deputy take to improve these and how quickly?

Deputy I.J. Gorst:

Any politician that stands up and says they are going to do something quickly would be a little bit suspect. **[Laughter]** As the Senator knows, I am personally a great supporter of the Comptroller and Auditor General and one of the things that I will do if the Assembly elects me today is invite the Comptroller and Auditor General in to review the department because I think that is the right and proper process that every Minister ought to do in every single States department, to ensure that the systems are working as they ought to be, but also that all efficiencies that could be garnered are being garnered. I was not aware and perhaps I should have been, that the Comptroller and Auditor General had made those comments about the system at Social Security, but they have, let us not forget, gone through a - as I said - mammoth change and some of the issues and the bespoke nature of income support does mean that we need to be on top of it and get to grips with how the system copes with it in an adequate manner.

Senator S.C. Ferguson:

Can I just correct? It was the Public Accounts Committee.

Deputy I.J. Gorst:

Sorry, I do apologise.

7.1.9 Senator B.E. Shenton:

When I was on the Scrutiny Income Support Sub-panel, we had an excellent adviser and produced some excellent work which, to be honest, I do not think the Social Security at the time took seriously enough and paid due diligence to. Subsequent to that, they implemented some of the recommendations. Will the Deputy give a commitment that he will revisit the work of the Income Support Sub-panel because it predicted many of the problems that you now have and gave solutions to them?

Deputy I.J. Gorst:

Again, it is difficult for me to stand up here and give a commitment that I am not going to be able to keep, but this Assembly has already agreed that income support will be reviewed in 2010 and that will be an all-encompassing review and I have no doubt at all and I certainly, as Minister, would want to include looking again at the Income Support Scrutiny document because that should be part, rightly, of that review. I have just lost my train of thought there. I wanted to say something else but I cannot remember, so I will sit.

7.1.10 Deputy A.K.F. Green:

Dental care and treatment is denied by virtue of cost to many of the Islanders. Does the Deputy have any plans to improve the situation?

Deputy I.J. Gorst:

For a moment there I thought I was at home and my wife was telling me I should go to the dentist, as she does invariably, but I say: "Well, I really ought not to because it is so expensive." It is an area that does need to be looked at. Again, my criteria, exactly the same criteria that I have for people accessing G.P.s and the hospital. Cost should not be a deterrent for people enjoying

appropriate and good health care. I cannot tell the Deputy exactly what the situation is now and therefore I would need to look at it and discuss it with the department. But again, I am more than happy to sit down with the Deputy and consider those issues.

7.1.11 Deputy M. Tadier:

My question really regards maternity leave. Would you support longer maternity leave for mothers in view of the ageing population, the need to inspire people to create more children for Jersey? Also for statutory paternity leave, if I may call it that, for fathers?

Deputy I.J. Gorst:

I am not sure if the Deputy is either married or a father, but I am not sure that extending maternity leave is going to increase the population, but that is another issue. I cannot say exactly where the Maternity Law is; I believe that it is either due for debate or it is in law drafting. I look to others to guide me on that. The department, over a number of years, has endeavoured to bring Jersey employment law and legislation in line with the United Kingdom. That is an admirable aim. I have one caveat with regard to that and that is that it must, at all times, be suitable and appropriate to Jersey. Now that is an extremely difficult balancing act, because should we really be in a position where we say that small and medium size, let us say, tourism companies or one or 2-man bands have to come to grips with this, what to them is, red tape and increased costs? Should we say that is acceptable for large businesses and not for small? I believe there are some difficult issues that this Assembly ultimately will have to get to grips with with regard to improved employment legislation of which paternity leave falls directly into.

7.1.12 The Connétable of St. Lawrence:

Being in receipt of income support does not mean that people are incapable of managing their own finances. If elected, would the Deputy undertake to review the system whereby the housing component is currently paid directly to the Housing Department without prior discussion or agreement with the recipient?

Deputy I.J. Gorst:

I thank the Connétable for that question. I am aware and I have spoken to some of my own parishioners for whom this very issue is a problem. They were in receipt of housing benefit and they were paying their rent themselves; all of a sudden it got rolled into income support and in fact what was happening they were making 2 payments and then they had to go through the problem of getting one payment back. So, yes, I am aware that this is a problem and I do believe that it should be looked at and addressed in a way which is convenient for all the parties.

7.1.13 Deputy A.E. Jeune:

Would the Deputy agree that with long-term unemployment this is unhealthy for the individual, does nothing for their dignity and self respect and all effort should be made to give some form of employment, even if part time or temporary? Does he have any ideas on how this can be achieved?

Deputy I.J. Gorst:

The Deputy makes an absolutely pertinent case. Long-term unemployment kills hope. The lack of hope kills communities and ultimately kills society. It is an issue that we must get to grips with. It is that very reason that I brought my employment strategy in the last session for those with learning difficulties and on the autistic spectrum, because these very individuals were going through a fantastic education and then sitting at home and becoming long-term unemployed. They then ultimately become a drain on the State.

The Deputy Bailiff:

Well, I am afraid that brings matters to an end, Deputy. So may I invite you to withdraw and we will invite Deputy Southern to return? Well, the Assembly is not quorate at the moment, so before

the Deputy can begin sufficient Members will have to return. Very well, the Assembly is now quorate, so when you are ready, Deputy Southern, I invite you to address the Assembly.

7.2 Deputy G.P. Southern:

I realise this is the second time I have stood before you today to seek a Ministerial position. Let me assure you that whatever my motivation previously, this is the job that I want. I put out a leaflet about 3 days ago explaining why I want it. Members will not be surprised, having read it, to notice that I am not impressed by what has been going on at Social Security in recent years. Why am I not impressed? Comes down to my personal experience of the system, in particular the income support system. What it comes from is listening to clients who simply cannot understand how the system operates and why they seem to be discriminated against and why they appear to be losing money now compared to in the past. It is any number of what seem like small things. Under the old system of welfare the Constables always assessed income very carefully and then looked to outgoings and between the balance of that system, decided whether or whether they could not offer some assistance across the board or for specific tasks. Now while we have been busy putting all these benefits together under one centralised system, which is laudable, we have lost that element of flexibility and the balance between income and outgoings. So, for example, if you needed severe dental work which is an expensive business and you were on welfare, you went along and, on a good day with a following wind, your Constable would say: "Yes, go and get an estimate and we will see." And the likelihood is you have got your dental work done. If your cooker blew up and you were on welfare, the likelihood is that your Constable, for all his faults, would have said: "You obviously need a cooker, I recognise that and here is the voucher, go and get one pronto." Unlike the income support system which says: "Oh well, we have a meeting about it, is this an emergency payment? You got a family of how many? Well, we will have a decision within a fortnight." A fortnight feeding the kids without a cooker? Come off it. It required emergency intervention by one of our Deputies to sort that out. So, between delay, between inflexibility, between making people poorer and the prime example of this, and I have talked about it earlier in the day, is effectively the withdrawal of free G.P. access to many on the lowest incomes. That should never have happened and what it has done is put an increased load, already we are seeing it and it will increase in the future, on the Health budget and I am glad to see a robust defence by the now Health Minister of his budget and I look forward, if I were elected, to having debate with him about restoring free access to G.P.s. That is income support and certainly I know quite a bit about it and it is about time we put it right. The word the previous Minister keeps using about it is "tinkering". It is not tinkering. If it is going to do its job which is as an in-work benefit, it means getting people into work wherever possible and maintaining work, then it needs major restructuring. There is currently no incentive to work and already I am hearing from clients and from staff, that the use of the threat, the stick: "We will dock your benefit", is already being put to people who are not seeking work because they are looking at the incentive and saying: "I am going to work a 40-hour week for an extra £10-15 a week over my benefit? Come off it." There is no incentive there to be made to work properly. Now the argument goes that this is going to cost lots more money. Come on, let us stop looking short-term, let us look longer-term. If you can successfully return more people back to work, 18 months down the line still enjoying work, still working, then you will not be paying them benefit, the short-term extra cost will be far outweighed by the absence of income support because that person is then working. Now we need a system that can do that and I think I have got glimmerings about how it can be done. It is not just a question of tweaking the rates so that you are £10 a week better off rather than £6, which happens. Now the impact on staff has been significant. *Temps passé*, whenever I went into Social Security I was met with a smile, clients were met with a smile, clients were met with politeness and by comparison with some occasions down at Housing, some occasions at St. Helier Welfare and I will say that; no rudeness, no intolerance, no being made to feel small. What is happening because staff are now under pressure, the workload has risen massively, the resource has not matched it, staff are starting to get a bit short with clients. I am starting to hear clients coming back saying: "Just told me 'nothing I can do about it,' snapped

at me”, walk round, turn round, out. Standards of customer service care are starting to deteriorate and that is a shame because, rightfully, Social Security staff in the past were proud and could be proud of the way in which customers, clients were treated. What is going wrong and you can see it in people’s faces, in the staff, as you go through a case and say: “Just check this calculation, is it correct, if this person goes back to work and works 25 hours a week, how much better will the family be including childcare costs that she needs?” Calculation gets done and you can see the face dropping. “Yes, I have to say, yes, by the look of it you are going to be £6 a week better off.” And they can see the reaction from the client; this system is not delivering what it should do and the staff have to deliver that message time and time again: “No we cannot do that, the rules say no. Computer says no. Computer says no, you cannot have any more, there is no flexibility.” Now that system is not right. I want to put it right and put it right now and for the future. The 3 main issues in front of us and they are being done in a piecemeal way; income support which I believe does not work, does not do what it says on the can and must be made to do so and supplementation because income support has been brought in I believe with inadequate training, because it was rushed the G.S.T to please the Minister for Treasury and Resources, because of that, the issue of supplementation which met me when I first came into the House in 2002, is still not dealt with. It is growing. That is another major issue that needs dealing with and then the funding of adequate residential care scheme needs to go ahead. It looks like we are developing that and in conjunction with Health one can see a way forward. It is contained, by and large, in this excellent report, S.R.12 from the Health, Social Security and Housing Scrutiny Panel suggests a way forward. I would intend to, with the Minister for Health and Social Services, deliver that package. There are all sorts of things I have been involved in; in Social Security, employment law, minimum wage, safety at work, J.A.C.S. (Jersey Advisory and Conciliation Services) and employment tribunals. Again, heavy involvement and I believe a good understanding of how the system works. Lots of issues, some of which I mentioned, small issues, the privacy issue ...

The Deputy Bailiff:

Very well, I am sorry, Deputy, that brings your speech to an end and I invite questions. Constable of Grouville?

7.2.1 The Connétable of Grouville:

In view of the fact that as part of the income support payment a proportion is included for rates, the Comité des Connétables have approached the department because, at the moment, we are finding that the rates money is spent on other things and so we are in the embarrassing position of having to take people to the Petty Debts Court in order to satisfy our Rates Law. Could the candidate please assure me, that if he gets into office, he will look at this again and try to make provision for some deduction of that and payment directly to the Parishes?

Deputy G.P. Southern:

That certainly is one of the ways forward and it is something I have already come across: “How am I going to pay my rates at the end of the year because I am living, as it were, beyond my means?” Many clients are saying that and whereas previously they could go in to the Constable and suggest a way forward and they would take some arrears back off them on a weekly basis, that does not appear to be happening under the current system and it needs to.

7.2.2 Deputy T.M. Pitman:

Senator Shenton and, I think, Deputy Pitman have already raised the issue of excellent research done by the Scrutiny Sub-Panel. So we have already heard that there is a review set for 2010; would the Deputy confirm whether he would be brave enough to grasp the nettle and bring that forward to 2009, if at all possible?

Deputy G.P. Southern:

This sounds like a plant, does it not? Because my colleague on my right knows full well that I brought a proposition not 3 months ago perhaps to that very end and several Ministers voted against it and said it is not urgent, it can wait until 2010. I believe it can be done in 2009, by the end of 2009, we should be able to put forward a report outlining the many faults and starting to put some of those right.

7.2.3 Deputy R.G. Le Hérisier:

I wonder if the candidate could outline how he will deal with benefit fraud and given the deteriorating economic situation, how will he deal with welfare dependency and the need to get more people back to work?

Deputy G.P. Southern:

I think that is 2 questions in one, but we will go at it. Yes, benefit fraud is a problem and appears, to my mind, to be being dealt with quite effectively by the departments, but needs to be put in context of insurance schemes, social benefit schemes everywhere that the major problem is not people fraudulently claiming - that is usually a minor problem - it is the lack of take-up and people not claiming benefit when they are entitled to. That is where we have, again, over the past year or so gone wrong because the current Minister has not given enough publicity to his initiative, has not trawled actively to seek out those who deserve benefit and should be claiming benefit but are not doing so. The return to work, I believe, perhaps I have dealt with it, we have to have a carrot as well as a stick, to get people back into work over a period. We have to be flexible about the hours we work and we are not at the moment. So we need to examine that so that we can ease people back into work and have them appreciate that they are better off financially and 6 months down the line, are happy to be in work because they are happier in themselves.

7.2.4 Senator S.C. Ferguson:

One of the findings of the Public Accounts Committee's report on the States 2007 accounts was the inadequacy of the information systems at Social Security. What steps will the Deputy take to improve this and how quickly does he think this can be effected?

Deputy G.P. Southern:

I thank the Senator for her question. I do not have any instant solution to this one, but I am aware that there are inadequacies in the computing system and what that tends to do is produce again, despite the fact we have brought 14 benefits into one, there are communication problems across the boundaries between, say, benefits and income support, income support and pensions, income support and finding work, so that people are dealing with their own speciality and are not communicating effectively, quickly and promptly with the other agencies, the other arms within the ... I do not know the size of the problem. I do not know how quickly it can be fixed, but if there is a problem it will be fixed.

7.2.5 Senator B.E. Shenton:

The Deputy obviously has, in his mind, an ideal for the income support system of what should be achieved and what is not being achieved at the moment. Can he confirm that he can achieve this within the existing budget?

Deputy G.P. Southern:

This comes down to a strong advocate, I believe. I believe the department has had weak leadership for the past 3 years. In some cases a better service can be delivered without additional cost. But where additional cost is inevitable, then what we need is someone there to fight that corner. Just in the way Senator Syvret, years back, fought his corner for Health, I would fight my corner for Social Security. In particular, where we need to bring in additional resource in terms of staff and expertise. If we are to do these 3 major tasks in less than a decade, and we have to do it in less than a decade, then the staffing resource must be found. On a day-to-day basis, the staffing resource,

where the workload is too high, we need to examine that workload and see if extra staffing is needed. They are doing more and more for less and less with less and less.

7.2.6 The Deputy of St. John:

Could the candidate give us his views on as prescriptions are currently free and are being abused, what will he do to put in place checks and balances?

Deputy G.P. Southern:

The non means-testing of free prescriptions was, I believe, a mistake. It should be revisited as soon as possible. The funding that is paying for that would be far better directed towards restoring free access to G.P.s for a certain section of the very poorest and the most ill.

7.2.7 Deputy J.M. Maçon:

This relates to the client service that you spoke of earlier. Given that Social Security and the Tax Department are very dependent on each other sometimes for information, would the candidate support greater communication between both departments, preventing people having to walk back and forth from each other?

Deputy G.P. Southern:

The ultimate joining-up. Within the constraints of data protection and that is particularly important because data, remember, belongs to the individual and not to the department, yes, if we could improve communication between the 2 departments, I would be in favour of it.

7.2.8 The Connétable of St. Peter:

Having been involved in the Parish welfare system until the introduction of the income support, the direct relations between the Parish and recipients enabled us to identify abuse of the welfare system. What steps will the candidate take to ensure that the income support budget is not lost to claimants intent on abusing that system?

Deputy G.P. Southern:

I believe I have, I think, already answered that question when I said that I believe that the department is quite vigilant and effective about chasing-up potential fraud and does so on a regular basis. So I do not see that re-involvement of the Constables at that level is necessary.

7.2.9 Deputy P.V.F. Le Claire:

We all know that Deputy Southern, the candidate for Social Security, has a great interest in Social Security, as does the other candidate. If Deputy Southern is unsuccessful in becoming elected as a Minister, what room has there been spoken of of his possible Assistant Ministership with Deputy Gorst, if any? If there has not been any, would he consider that as an option or would he take an active role in scrutinising this department?

Deputy G.P. Southern:

I have not received that information directly from Deputy Gorst, although if that offer were to be made, I would have to obviously consider it because what I want to do is get in there and fix the system. If that takes place as Assistant Minister or Minister, obviously I would prefer the latter, certainly I would consider working with Deputy Gorst, were I to be successful, with him as my Assistant Minister although I have a favourite candidate, but I think she is sought after by many Ministers.

7.2.10 Senator P.F.C. Ozouf:

Along the same line as Senator Shenton's question; could the candidate say whether or not he has costed all of his proposals and could he say what is the magnitude of the sum that he would be seeking from the new Minister for Treasury and Resources?

Deputy G.P. Southern:

Absolutely not, like a conservative government that has been out of power for a certain length of time, it would not make estimates and get pinned down by numbers in that sense. But I would be coming to the House with an estimate once I have seen the potential for additional spending and a variety of approaches, not just a single approach - this is what we often get from Ministerial benches, this is the way forward, take it or leave it - but a variety of approaches, some options that are costed and I would do that certainly within the first 12 months so that Members will be aware of what the potential is.

7.2.11 Senator A. Breckon:

If elected, does the Deputy see contributions rising over the next 3 years perhaps to ring-fence things like elderly care or pensions protection?

Deputy G.P. Southern:

Yes, having examined the options put forward in the Scrutiny Report, it seems to me a very comprehensive report and certainly, if I can find quickly the page, just briefly, yes, it seems that at some way forward under the banner Social Insurance Partnership Scheme looks a likely way forward and without going into depth about that, I certainly would do, yes, part of that means that Social Security contributions would be going up to cater for that particular need and ring-fenced for that end.

7.2.12 Deputy A.E. Jeune:

Could the Deputy give us his view, please, on the use of electronic Smartcards which could facilitate identification of Social Security benefit entitlement, housing and employment levels as well as health benefit entitlements and therefore aiding the prevention of benefit fraud?

Deputy G.P. Southern:

Yes, as I speak, I believe Deputy Gorst is working on his plan for a names and address register that will be accurate and monitored, which contains a unique identifier. Now whether that becomes an electronic card or whether it is a simple identifier, is something we need to give consideration to. But I am not holding my breath because that project still has to be completed and it has been 2 years in the making so far.

The Connétable of St. Lawrence:

I did not catch your eye soon enough and my question has already been asked, thank you.

Deputy D.J. De Sousa:

Sorry, the same has happened with me. My question has already been asked.

7.2.13 Deputy J.A.N. Le Fondré:

Very similar, but I will get confirmation from the candidate that, to be clear in my mind, given all the various comments made, is the candidate advocating a significant increase in social security rates then?

Deputy G.P. Southern:

One would not expect a candidate to agree with a word like “significant”. We have to be flexible. We have to look at the evidence carefully. I think people know that I will not bring anything to this House unless I feel confident that the evidence is there about a level of spending that is justified. Certainly I will not make any promises at this stage about significant or insignificant sums and if there is a cost I believe is justified by the evidence I will bring it. It then comes to the House to say yea or nay: “That is worth the candle, the cost benefit is worth it or not.”

7.2.14 Deputy M. Tadier:

Yes, fairly simple question; does the Deputy believe that the proposed figure of £6.08 an hour for minimum wage is sufficient to live in Jersey in 2009?

Deputy G.P. Southern:

Trust one's colleagues to ask the awkward question, the one that really ... since I have not amended it and I certainly have amended minimum wages in the past, I clearly have looked at that figure. Whether it is adequate to live on in Jersey, I do not know, but whether it is an acceptable figure to me, yes, for the moment, given that the Employment Tribunal has got the right method, I believe now, for assessing minimum wage relative to a proportion of relative poverty that means that they have got the right approach to it. So, yes, I am satisfied that what we have got at the moment is the right approach.

7.2.15 Deputy P.V.F. Le Claire:

Just seeing if some questions fell away. What is the position in Jersey ... in the U.K. I believe everybody's remuneration from a director's perspective is calculated every month and accumulated and social security is paid upon that amount. Is it still the practice in Jersey that directors' bonuses and extras are put into the end of their year and thereby they avoid social security contributions across the whole of the year that they would have otherwise paid? If that is still the case, which is not the same as in the U.K., would the Deputy seek to introduce changes in that area?

Deputy G.P. Southern:

I do not believe that is the case but I will certainly examine it and see if there is scope for making adjustment and if that is needed, it will happen.

7.2.16 Deputy M. Tadier:

Just the same question I asked the other candidate, to do with maternity leave and in particular, paternity leave. Is that an area that you are concerned about? Would you do something about that?

Deputy G.P. Southern:

Absolutely. One of the elements that we need to address and was certainly made by our adviser; get the family-friendly policies right and you instantly make it easier to tap into the resource of working female parents - working mothers - and others. Yes, get it right. It is a matter of some urgency. I believe some of the preliminary work has already been done. Certainly I will be pushing that full speed at the House as soon as possible.

7.2.17 Deputy R.G. Le Hérisier:

Some small employers have said that the tribunal system of J.A.C.S. is very balanced against their interests in that it is perhaps bureaucratic. Some of the findings are, in the view of some small employers, punitive. What is the view of the candidate in that regard?

Deputy G.P. Southern:

I have heard some small employers complaining to that end. Obviously they need the opportunity to discuss that with the relevant authority, with the Minister, and I would certainly be open to anyone who wishes to examine or complain about our current employment laws, whether they are employer - small or large - or employee. My door, as they say in Ministerial terms, will always be open.

The Deputy Bailiff:

Any other questions? Very well. We have concluded questions. So then we will move on to the ballot so that if we could ask for Deputy Gorst to be invited back to the Chamber and I will ask that ballot papers be distributed. If the ballot papers could now be collected. Have all ballot papers been collected? Then I invite the Deputy Viscount and the Assistant Greffier to act as scrutineers to count the vote.

8. Transport and Technical Services Ministry

The Deputy Bailiff:

Senator Le Sueur, so far as you are concerned are you willing to proceed to the next one which is the Transport and Technical Services?

Senator T.A. Le Sueur:

More than willing, Sir, yes.

The Deputy Bailiff:

Deputy Southern, are you content to move on to Transport and Technical Services? You do not wish to await the outcome of this one?

Deputy G.P. Southern:

I have no further desire for Ministerial portfolios. **[Laughter]**

The Deputy Bailiff:

Deputy Gorst?

Deputy I.J. Gorst:

Certainly not, Sir. **[Laughter]**

The Deputy Bailiff:

Very well. Then I invite nominations for the post of Minister for Transport and Technical Services.

Senator T.A. Le Sueur:

For the post of Minister for Transport and Technical Services I propose the Constable of St. Brelade, Constable Michael Jackson.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Are there any other nominations for the position?

Senator F.E. Cohen:

Sir, I propose Deputy Robert Duhamel for the office of Minister for Transport and Technical Services.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Any other nominations? Then there are 2 nominations and I see Deputy Duhamel has already removed himself from the Assembly. So on that basis then I invite the Connétable of St. Brelade to address the Assembly.

8.1 The Connétable of St. Brelade:

During my first 3 years in the States of Jersey I have had the privilege of working in Scrutiny and consider it to have been an excellent grounding for a new States Member. It has taught me not to take everything at face value and stimulated me to research the finer points of various topics and contribute towards producing reports which will have enabled States Members to debate and vote more wisely than perhaps they would have done. My place on the Economic Development Scrutiny Panel has been enlightening and enjoyable and I would take this opportunity of thanking my fellow panel members for making it a pleasant and convivial 3-year stint and particularly to the Chairman, Geoff Southern, and what could be described as his counterpart, the Minister, Senator Ozouf, for some most interesting demonstrations of good, old-fashioned political sparring. **[Laughter]** **[Approbation]** I would also comment regarding the previous incumbent of the office

of Minister for Transport and Technical Services for his style. It may not have found favour with some but I for one will miss his place and his delivery in this House. **[Approbation]** Three years as a Connétable opens one's eyes to the practicalities of road maintenance, park and garden maintenance and, of course, waste collections. Years ago it was mandatory for parishioners to contribute personally to the maintenance of Parish roads by giving of their own labour but our society has moved on somewhat from those practices. Road services has become an onerous cost to not only the Parishes but also to the Island as a whole and it is surprising how protective a Connétable can be in the face of threats of trenching by service companies of their newly resurfaced roads. Some 9 years as a roads inspector in the Parish of St. Brelade has conjured up a sort of perverse interest in roads and their surfaces. Sad though it may seem I find them interesting. New street work laws are at present being formulated with the intention of looking after our road services in a more cohesive manner with the utility companies and I look forward to progressing those changes to the statute books as soon as possible. I would suggest that traffic speed is a subject that the Connétables are best placed to deal with. They see it every day in their Parishes with their Roads Committees. The employment of road cleaning staff and gardeners has formed part of my parochial role and the standards that have been maintained have been a source of pride to me during my term of office. Waste collections within the Parishes are evolving with a greater emphasis being placed on recycling. St. Brelade is undertaking a review in conjunction with T.T.S. at present during 2009 to evaluate how we might develop our present 'chuck everything away' type kerbside collection arrangements to a more modern, environmentally friendly system which includes collection for recyclables. We collect glass separately but I am afraid all the rest goes in together. We need to improve our methods. Christmas lights is another topical subject which some Parishes get involved with **[Approbation]** and is a matter of some familiarity to me. The erection of some of the magnificent displays we see in the town - not at St. Aubin I have been reminded - involved considerable input from T.T.S. Members will be aware that all the Parish matters I have just mentioned have an overlap with T.T.S. I am familiar with all aspects of these subjects. I am enthusiastic that they can be managed in a modern way which suits and fulfils the need of a modern society. I am environmentally sensitive. I lean towards the green but I do not class myself as a crank. I understand that sometimes there has to be a balance between ideal, practical and affordable. T.T.S. - Transport and Technical Services - employs some 600 staff who provide vital services to the running of this Island. The Island could not possibly run without them. It would be my mission to instil a sense of pride and professionalism in the workforce, whether it be at senior management level or the toilet cleaners. We have in the past been leaders in liquid waste management in that we were one of the first to be able to pump clean water out to sea in the interests of not only keeping our beaches clean but to meet the highest bathing water standards using U.V. (ultraviolet) technology. I have just been corrected by the Connétable of St. Mary. I did say we were having some large jobs coming up in the next 3 years but as it is to do with dealing with solid waste I would rephrase that. **[Laughter]** We have some large tasks coming up in the next 3 years. **[Laughter]** We have to find solutions for dealing with waste. We have to provide for replacing ageing plants which we ignore at our peril. We have to continue with our road servicing programme. We have to progress our transport strategy. We must get our Energy from Waste plant up and running without further delay and ensure a seamless transition from the old to the new. We must get our in-vessel composting unit built and obviate the smells from Havre des Pas. We must extend our sewers to those in the country and those on tight tanks. We must continue our car park maintenance and investment plan. We must work with the Parish of St. Helier to get the town park established. We must improve the cleanliness of our streets. We must improve our soft landscaping. This is what the general public want and it is arrogant to ignore it. The funding of all these essential matters will be extremely challenging and I expect some radical thinking will have to take place in order to achieve it. I would wish to bring myself up to speed with all aspects of the department and I have no qualms about going down drains or up chimneys. I will make it a point to meet all staff working in the department so that I can motivate and encourage them towards the levels of performance which can be fairly accepted by the public at large.

Transport and Technical Services employs some of the finest engineers and tradesmen in the Island and I would contend that their capabilities are considerably underestimated. I am quite content to catch the bus and I am familiar with it, having lived on the same bus route all my life. I know from practical experience that it is completely daft to have an airport bus that cannot accommodate suitcases. **[Approbation]** I am aware of the value of a town hopper bus service to the elderly and I am aware that many areas of the Island are very poorly served. I am also aware that there is an issue with standing on school buses. There have been accidents. We cannot have that. There are incidences of problems with children on buses. Where they have standing, the drivers cannot see what is going on. We have to consider the absence of seatbelts to prevent minor injuries on buses. We must start considering what we want in the next bus contract now. It takes time to evaluate what is required and what it costs. The present contract will expire in 2012. It needs to go out to tender by 2010. It is no good leaving these decisions until the last minute. There is continual debate regarding taxis and I would wish to take on board the drivers' views before instigating any changes. What about the forts and the historic monuments? We have a duty of care for the fabric of our various ancient structures and I applaud the initiative to let them out on the basis that it helps defer the cost. There has been far too much cost-cutting at T.T.S. People are fed up. I intend to turn this around by building a trust with the general public. We need co-operation. We need transparency. We must spend wisely. I thank Members for their attention and ask that they support my nomination for the position of Minister for Transport and Technical Services. **[Approbation]**

The Deputy Bailiff:

Before we move on to questions, I am in a position to give Members the result of the ballot for Minister for Social Security. The votes cast were as follows: Deputy Gorst 36 votes, and Deputy Southern 16 votes. I declare, therefore, that Deputy Gorst has been elected as Minister for Social Security. **[Approbation]** We come then to questions of the Connétable of St. Brelade. I saw first the Connétable of St. John.

8.1.1 The Connétable of St. John:

As a Connétable of a Parish that pioneered the recycling - before my time I might add but I am more than happy to support and push forward on it - I would like to ask the candidate, if elected how he would encourage other Parishes to get more involved and expand it Island-wide?

The Connétable of St. Brelade:

There is no doubt that all Parishes have an enthusiasm to develop their recycling schemes. Some Parishes have advanced it more quickly than others in that they have a smaller circuit to deal with. It is not as easy as one might think and I discovered that over the past few months but it is achievable. We have to work with our collection contractors. They are enthusiastic to get the situation under control. There is enormous potential for the Parishes to work with the Transport and Technical Services Department and that is what I intend to encourage.

8.1.2 The Deputy of St. Mary:

I put it to the candidate that sustainability is not a nice little option add-on but achieving sustainability is a part of our duty of care - which is the phrase you used - by duty of care to those who elected us. So sustainability is vital. We have to move from being a society where we take in resources at one end and then destroy them to one where everything that can be reused is reused and also where we reduce our CO2 emissions to the absolute minimum. Would the candidate like to comment on how the planned mass burn incinerator can contribute to the goal of sustainability and, as a rider, will he ban the Parishes - all Parish collection companies - from selling their recyclable waste to France on the ground that if he does not then the planned incinerator becomes inoperable because there is nothing to put in it?

The Connétable of St. Brelade:

The Energy from Waste debate has been well rehearsed in this Chamber. We have debated it on 3 occasions. We have made a democratic decision in this House to proceed on the basis that we build an incinerator down there. The discussion on emissions has been well ventilated, if I may use that term, and we have to get on with it. It is a question of balance as I referred to in my speech. We cannot shilly-shally around. The cost is increasing all the time. The delay in making the decision to proceed has cost this Island dearly and I will stick to the construction of the Energy from Waste plant.

8.1.3 Deputy S. Pitman:

If elected, what steps will the Constable take to reduce the amount of cars on the road?

The Connétable of St. Brelade:

I am given to understand that the transport strategy is close to appearance. **[Laughter]** I feel that though we must move to encourage car owners on to alternative means of transport, we must improve our bus service to make it more user-friendly. We must improve our cycle tracks. We must instigate a cycle track in the east of the Island. The one in the west of the Island is developing. It is near completion and I am certain it will be extremely popular. A little bit of sunshine will help to take people out of their cars. I am a great enthusiast for moving people off the roads.

8.1.4 The Deputy of Grouville:

That nearly answered my question because the Constable did not mention cycle tracks in his opening remarks. I would just like to ask what emphasis or what priority he would give to the eastern cycle track?

The Connétable of St. Brelade:

Always very difficult coming from the west of the Island but I do appreciate that this is an all Island matter. I think I will have to ask the Deputy to lead me down the hidden paths of Grouville to identify the proposed path of the eastern cycle track. I think the concept is fundamental. We must do it. We have to investigate costs. I do not know what they are at this stage.

8.1.5 Deputy D.J. De Sousa:

If elected, what would the Constable do to ensure a more improved bus service?

The Connétable of St. Brelade:

I think the bus service in the past or bus operators in the past maybe have not listened to the public as they might. I am aware of several areas of the Island that are very poorly served and this needs to be investigated. It is all very well saying that we cannot put a bus service on there because no one will catch it. If you do not put the bus service on, nobody is going to catch it. So it is a bit of a chicken and egg situation, but I think it needs to be investigated.

8.1.6 The Connétable of St. Mary:

As a supporter of traditional Jersey ways, I would like to know the Constable's opinion of filter in turn junctions. Does he, for instance, agree with me that they are a simple, cost-effective, low maintenance way of not only calming and smoothing traffic flow but of introducing road courtesy? Does he believe there are junctions which could benefit from a filter in turn and, if so, would he consider using their use where possible?

The Connétable of St. Brelade:

I agree wholeheartedly with the filter in turn. It is quite interesting to note that it works beautifully in the winter. When we get summer visitors, it sometimes breaks down. But, no, I think it is an ideal situation. It is far more efficient than traffic lights and long may it last in Jersey. **[Approbation]**

8.1.7 The Connétable of Grouville:

As I said earlier today it is well known that there is a £33 million backlog on road maintenance over the last few years. Can the Connétable assure us that he will put pressure on Treasury and Resources to release funds to bring us up to date?

The Connétable of St. Brelade:

Clearly there is a resource shortage in all aspects of Transport and Technical Services. I think we have to cut our cloth to suit. Principally I shall lobby vigorously for funds for the road programme, as well as the waste strategies. There is no doubt that we cannot afford what we would like. We have to develop a programme that will fit the budgeting available but the Connétable can rest assured I will be championing the cause of maintaining the roads in Jersey.

8.1.8 The Connétable of St. Lawrence:

How would the candidate address the seeming intransigence of T.T.S. traffic engineers to deal with traffic calming and speed reduction measures? **[Approbation]**

The Connétable of St. Brelade:

Speeding is an issue which is paramount in many people's minds. I consider that probably the only way to deal with it is by physical methods and indeed by traffic calming measures on various roads. We have also seen crop-up in the Island the Jersey-style crossings, probably not approved of by engineers but they do work remarkably well. **[Approbation]** So I think the focus of our attention needs to be on traffic calming measures which are acceptable to the public and, as I said before, this is what the public want.

8.1.9 The Deputy of St. John:

If I could follow on from the previous questioner. Could I have the candidate's views on traffic calming by use of chicanes, Mr. Smileys, *et cetera*, because in the recent campaigning in my district in the Parish of St. John, I would say 80 per cent of the residents raised the point of traffic calming required not only on main roads but also on byroads?

The Connétable of St. Brelade:

Indeed once again chicanes are a physical method of calming traffic. I have experience of Smiling Sid as we call it in St. Brelade. The philosophy from the parochial point of view has been to slow traffic down. We have not been focused on trying to fine people for speeding. We just want them to drive slower and certainly the signs encourage that to happen. I would be prepared to consider all physical methods of slowing traffic down.

8.1.10 The Deputy of St. Martin:

About 17 per cent of the Island's homes are not connected to mains drains and the reason for that number remaining at that level was because of a lack of funding. What steps will the candidate take to address the lack of funding and would he consider imposing a tax on the 83 per cent of the households who benefit from being connected to the mains drains?

The Connétable of St. Brelade:

I think that is a consideration which we will have to look at seriously because quite clearly the issue is over the last mile which is very expensive and in order to get the remaining 17 per cent connected, I do not think there is much alternative than adding on to the water rate or some such method.

8.1.11 Deputy M. Tadier:

The question with regard to the bus service, would the Connétable consider decentralisation of the bus service at least on certain routes so that one is not always obliged to go via St. Helier when one does not want to?

The Connétable of St. Brelade:

Yes, absolutely. I think there is great mileage in considering transport hubs and this suggestion has been put forward in the past. It is a very admirable idea and I think would serve the Island well.

8.1.12 Senator T.J. Le Main:

As a regular bus user every day I notice there are very many more elderly people using the bus service now to St. Helier, particularly from Le Marais and those areas. Would the candidate indicate whether he would be prepared to re-look at a town bus hopper service so that elderly people who are coming in on buses to places like the Weighbridge can access supermarkets and other important areas around the town?

The Connétable of St. Brelade:

I did mention in my speech that we need a hopper bus in St. Helier to cater for the old people's requirements, yes.

8.1.13 Deputy P.V.F. Le Claire:

If elected, who does the Constable have in mind for Assistant Minister?

The Connétable of St. Brelade:

I have not made my mind up yet on that in that I think it to be appropriate to discuss the matter with other Council of Ministers' members, principally because I am a great believer in sharing responsibility and cross-departmental working. If any advantage can be gained from having an appropriate person in the right position to whichever department, I think it must be taken. So that will be no doubt be debated in the next couple of days.

8.1.14 Deputy A.K.F. Green:

The Constable mentioned seatbelts in school buses. In the interests of our children would he give an absolute undertaking that all school buses will be fitted with seatbelts and wearing made mandatory?

The Connétable of St. Brelade:

Clearly my knowledge of the costings of fitting seatbelts into buses is limited at present. I received an email only this morning from the head of Les Quennevais School reminding me of this situation and the pertinence of it. I think it would be foolish to ignore the information that is coming forward and that the risks attached of not wearing seatbelts may cause the children.

8.1.15 The Deputy of Trinity:

With all the cars coming into town and the talk of a hopper bus, would the Constable think of having a park and ride scheme, especially round the east of town?

The Connétable of St. Brelade:

In an ideal situation, yes, but we must have the car parking out of town before we can do that. There are various issues which encourage or discourage people to drive into the town. I think probably one of the ones that encourages people to come to town that there are so many uncontrolled private car parking spaces. I think that is an issue that really needs to be addressed before people will get on the buses.

8.1.16 Deputy K.C. Lewis:

I am all in favour of a hopper bus service, especially if it includes the Parish of St. Saviour. While canvassing, the overriding complaint from people was traffic. Would the candidate consider using smaller buses or asking Connex to use smaller buses in urban areas, especially around the area of Langley Avenue, Langley Park where now and again it has been known that cars have to be moved

in order to get the bus through? I think he has already answered the question regarding traffic calming measures.

The Connétable of St. Brelade:

The Deputy is a very practical, logical person, and I fully agree with his suggestions.

8.1.17 Senator S.C. Ferguson:

How does the Connétable intend to cope with the demands of the Ministry and the Parish?

The Connétable of St. Brelade:

I am quite confident that there is such an overlap between the Parish work and the Transport and Technical Services Department that it can only be of benefit to both the Parish and the department. I look forward to applying myself to achieve that.

8.1.18 Deputy R.G. Le Hérisier:

Given the full and frank confession which the Constable has made for the non-appearance of Christmas lights at St. Aubin, was this part of a deliberate campaign to save energy and, if so, will he be applying the same energy policy throughout T.T.S.?

The Connétable of St. Brelade:

I am renowned as a fairly thrifty person and that could be interpreted in a multitude of ways.

8.1.19 Senator P.F.C. Ozouf:

There is currently confusion in taxis in relation to restricted and non-restricted. What would the Constable's proposal be for dealing with the taxi service in the Island?

The Connétable of St. Brelade:

I alluded to the fact that I would rather discuss the matter with the various driver groups or individual drivers with taxis before making any bold decisions. I think in the 21st century we have moved on. At one point we had a defined line between rank taxis and cabs. This is not the case today. We have very few cab companies. I think probably 2 or 3 large ones. Most of the taxi rank drivers work off a mobile phone. I think we are getting a lot closer to amalgamation than may have been the case some years ago.

8.1.20 Deputy J.B. Fox:

I hope that the Constable will take a commitment to re-examine bus shelters. They are the one thing that we need. They were examined some years ago to be self financing through advertising which also had the benefit of good safety because of the light. It was not possible then but would he give a commitment to re-examine that to be introduced if possible?

The Connétable of St. Brelade:

I believe there is budget for bus shelters and I know certainly within some Parishes there is a degree of budget for bus shelters. Clearly there are planning issues very often involved with erection of them. Some of them have suffered from extreme vandalism and this needs to be a consideration if they are going to be erected. So in principle, yes, I agree with what the Deputy puts forward but there are issues to consider before putting them up.

8.1.21 Deputy M.R. Higgins:

I welcome the candidate's comments regarding buses capable of carrying luggage. Would he also look into the lack of provision of buses that are capable of carrying disabled wheelchairs and children's buggies because obviously the users of these vehicles are being denied the use of the buses and the ability to transport themselves around the Island?

The Connétable of St. Brelade:

Yes, I too noted I think some articles in the paper regarding a lady trying to get on a bus with a buggy. It does seem ludicrous that this situation has arisen. Clearly some sort of policy needs to be developed so that mums with buggies can get on without a struggle. They have enough of a struggle pushing the buggies and the accommodation of the children and dragging all the bits and pieces around anyway. I have experience of that and fully accept what the Deputy puts forward.

8.1.22 The Deputy of St. John:

As the cost of electricity is increasing by something like 24 per cent in the next few weeks [Interruption], could the candidate give us his views on street lighting and, in particular, Victoria Avenue given that I am given to understand there is a big area yet to be replaced in the forthcoming year? Also the lighting system needs to be replaced. Is it necessary to have so many lights on Victoria Avenue and in other areas?

The Connétable of St. Brelade:

Clearly once again there is a balance to be struck. There are some members of the public who wish to have far more streets lit. I think Deputy Tadier will have noted that there are areas of St. Brelade that he feels require being lit or the public have led him to believe they feel that they need to be lit. Lights these days can be more efficient than old ones. I think we need to be going down that route. But once again I think it is a question of striking a balance between what the public wish, the cost and particularly the safety aspects as well.

8.1.23 Deputy T.M. Pitman:

The Constable has made it quite clear that he is a supporter of the Energy from Waste plant. Does he, nevertheless, feel that sufficient consideration has been given to the impact on the quality of life of St. Helier No. 1 residents with the joint composting and the Energy from Waste proposals, or is there anything more that he feels could be done?

The Connétable of St. Brelade:

From the point of view of the Energy from Waste plant, I feel that the new plant will not, apart from physically - in physical size - impact on residents of No. 1. From the composting point of view, I am extremely conscious of the smells coming down to Havre des Pas and even out to sea. It is a ghastly, sickly smell. There is no question about that. The sooner that an in-vessel composting building is constructed, in my view, the better.

8.1.24 Senator S.C. Ferguson:

Would the Constable support a review by the Comptroller and Auditor General and P.A.C. into the value for money of the Connex contract?

The Connétable of St. Brelade:

Happily. It ought to form part of the next contract. It is essential that the Comptroller and Auditor General is involved at an early stage.

8.1.25 Deputy S. Pitman:

With regard to waste reduction, what does the Constable regard as a feasible target and how would he, if elected, intend to reach it?

The Connétable of St. Brelade:

Presently, I believe we are at this moment in time at about 30 per cent. Our target for this year was some 32 per cent. I am going to be bullish and I am going to go for 40 per cent. That is what I think we should be achieving.

The Deputy Bailiff:

Very well. That brings the questioning of the Connétable to an end. So may I invite you, Connétable, to retire and ask that Deputy Duhamel return to the Chamber? I invite Deputy Duhamel to address the Assembly.

8.2 Deputy R.C. Duhamel:

Members will be well aware that I have a strong interest in environmental issues and long term planning. I believe that I can combine these 2 areas to lead the Transport and Technical Services Department over the next 3 years to the benefit of the Island. As Chairman of the Environment Scrutiny Panel for the last 3 years, a member of the Shadow Scrutiny function prior to that and a committee member of Public Services, I have built-up over that time a working relationship with many of the officers from the department, as well as the political heads of those departments. I have a detailed knowledge of many aspects of the responsibilities that fall under the T.T.S. Minister. I am not a Constable but I do not consider that there is a reason why being one should be a prerequisite for the job. I have worked closely and successfully with 2 Constables, representing the largest and smallest Parishes, on the Environment Scrutiny Panel and with another on the Tidal Power Advisory Group. I look forward to working with other Constables, both individually and through the Comité des Connétables. There is no doubt that the Comité form an important function to the decision making process. I should also point out at this time that I was tipped to a nod and a wink that this position was one of the few positions available to Members with beards **[Laughter]** and I am as you can see suitably qualified in that respect. However, the Constable of St. Brelade did appear in a shaven state this morning and I have a razorblade in my pocket if it will make a difference. **[Laughter]** Promise, and Christmas is coming. Seriously, there are many major challenges to be faced by the Transport and Technical Services Department, not only over the next 3 years but into the future. I will outline my guiding priorities should I be fortunate enough to be elected this afternoon. The first priority is to put in place a responsible, long term financial plan that provides for the proper maintenance and replacement of essential infrastructure such as roads and sewers. Over the next few years the Island will be faced with enormous bills for replacing infrastructure which has been poorly maintained. I will work with the officers to identify a sustainable funding policy for these essential items and I will work with the Minister for Treasury and Resources to ensure that this essential maintenance is never again neglected. The second priority is to review the department's range of activities and to ensure that taxpayers' money is concentrated on providing core services. The department employs hardworking engineers and other professionals to undertake a number of important public services. However, the department is not as good at working commercially or with the private sector. There are charging anomalies within the system. I will call for a full review to be undertaken and look for opportunities to supply better quality services at lower cost. The third priority is to put the department on a sound environmental footing. There are major overlaps between the work of T.T.S. and the Planning and Environment Departments and, as Minister, I will work very closely with the Minister for Planning and Environment with whom I have an excellent rapport on areas such as recycling, energy policy and transport policy. The 2 departments must work together to improve the environmental sustainability and green credentials of the Island. The fourth priority is to raise the standard of accountability and transparency. States Members and the public have a right to understand how and where T.T.S. spends its budget. As Environment Scrutiny chairman, I have had difficulty in getting information from the department. I will publish clear statistics, therefore, setting out details of the cost of public services. Many of the services provided by T.T.S. will be affected by population growth. I will ensure that the basis for decisions that are taken is clearly stated. To recap, my 4 guiding priorities will be: long-term financial planning, concentrate on core services, sound environmental policies, openness and accountability. Within this framework, I would like to give you a flavour of some of the actions that I will take or encourage as Minister. Solid waste. A number of new politicians at the hustings indicated that they would like to cancel the incinerator contract. Quite clearly I think this is unrealistic and to stand here and make firm commitments to withdraw from the contract is not only stupid but impractical. What I can do though is to confirm

that if elected as Minister, I will undertake an urgent review if called for by a majority of Members to review any of the options available to the States and to bring a report to the Assembly before the end of January 2009 to review the contracts, if indeed this is possible. I have called for the contract but it has not arrived as yet. However, there are many other aspects of the treatment of waste that can be addressed to ensure that Jersey's environmental standards hold up to international comparison. Our published recycling targets are much too low. The successful Senatorial candidate suggested recycling rates between 50 per cent and 75 per cent in the *Jersey Evening Post*. Our recently re-elected Minister for Planning and Environment is thinking of proposing recycling rates of 65 per cent within the next 2 years. I fully support this. T.T.S. currently runs an odd collection of waste and recycling services at a considerable cost to the public purse. Money is also spent on subsidising a number of private contractors. The Parishes have recently started to take a much more proactive approach in this area, organising kerbside recycling services and investigating the possibilities of commercial contracts with French companies. As Minister I would work closely with the Comité des Connétables to encourage kerbside recycling within every Parish. As far as possible, waste streams will be kept separate with private contractors bidding for specialist services such as the disposal of rubber tyres. Small-scale recycling businesses should be encouraged to provide local jobs and a flexible service. Cynics may suggest that the recycling markets which dipped recently are not reliable, however, prices have come back to previous levels. The temporary dip was a result of the recession. We need, however, to make much better use of extensive European recycling markets. Supporters of the incinerator have always brought up the cost of transport as their argument against recycling. I will work with the Economic Development Department to negotiate reduced harbour fees for recycling loads. I have already held discussions with local shipping companies who would be prepared to use existing spare capacity to move recycled items to the U.K. and France at very economic rates. The existing T.T.S. plans require the existing Bellozanne incinerator to remain in service for maybe another 3 or 4 years while the new plant is built. One of the problems with the Bellozanne plant is that it has been used to burn everything and anything. By placing a strong emphasis on removing some of the most damaging parts of the waste stream as soon as possible, we will take some pressure off the Bellozanne incinerator and obviously clean-up potentially harmful emissions. This must be done as a matter of priority. One of the exciting things on the horizon is food waste and the opportunity perhaps for the Island to reconsider anaerobic digestion for the treatment of food waste. On recent trips to Sweden, the Connex company was seen to be running the biggest European fleet on bio-fuels that were made out of food waste by the anaerobic digestion process. These things are possible, as indeed fuels can be made - synthetic diesels - from plastics. In my mind it truly is and does represent energy from waste technologies and I think the Island deserves to be looking at them a little bit more closely than we have done so far. Was the bell for a minute?

The Deputy Bailiff:

You have less than a minute now.

Deputy R.C. Duhamel:

So in less than a minute ... I did not do very well. I have got another 6 pages. **[Laughter]** But just to recap, I have worked closely with T.T.S. and P.&E. (Planning and Environment) over the last 3 years as chair of the Environment Scrutiny. I have considerable experience under the committee system, of both these committees and others. I believe that with the right leadership T.T.S. could be more successful at providing good quality, environmentally sustainable key services to the Island. I am ready to take up this challenge.

The Deputy Bailiff:

Very well, questions of Deputy Duhamel.

8.2.1 Senator P.F.C. Ozouf:

The candidate has vigorously and doggedly opposed the construction of the incinerator. His speech I think was virtually all on waste. Can I press him on what he means when he says he wants to review the contract? What does he seek to change in relation to the incinerator contract?

Deputy R.C. Duhamel:

Nothing unless asked to look at it, basically. Although I have opposed the incinerator contract in its shape and form, I am not against incineration by any means. I never have been. I have opposed the scale and the size of the plant and the way it will be operated and how it puts incineration as a technology at the top of the list for dealing with our waste rather than using it as a last resort. If indeed States Members are keen that no aspects of the contract should be reviewed then I will be happy to let sleeping dogs lie.

8.2.2 Deputy P.V.F. Le Claire:

The current cost of the La Collette composting facility is in the region of £800,000 every year. So far, tracking those operations over the last 6 years, asking a question every year, we have managed to ascertain that it costs £800,000 a year - £800,000 free service - and it only makes £50,000. What does the Deputy intend to do about that if successfully elected?

Deputy R.C. Duhamel:

Yes, I think much of the work that is undertaken by the department is done on the basis that nobody else particularly wants to do it so they pick up the cudgels and run with it. What I said in my opening remarks was that I think we really need to inject an element of commercial reality into the department. If the department officers are not able to run with that then encourage those persons or businesses within the Island to deliver the services that the Island needs in a different way. I have had words with the Chief Executive from the department only yesterday and I am told that the penny is dropping and indeed the remarks that were made and the plans put forward by the Environment Scrutiny Panel, and indeed by Deputy Le Claire as well a number of years ago... the penny is dropping and it is being suggested that the compost site down at La Collette is in the wrong place. It will need to be moved in short order because there are other competing needs for the area and that would be an area for urgent priority to see whether or not some of the things that were suggested years ago can be implemented in a shorter timeframe than has been hitherto possible.

8.2.3 The Deputy of Grouville:

Would the candidate agree to actively work with the Health Protection Unit to look into the continuing issue of E. coli contamination in the Royal Bay of Grouville?

Deputy R.C. Duhamel:

Absolutely, yes. The E. coli as far as I can see is either from seagulls and their droppings and the sampling taking place in the spot, which seems to be an odd explanation, or indeed it is perhaps symptomatic of some functional problem with the sewer pumping station which is pretty close. I think in both respects we have to find out exactly which it is and take steps to clean up our act.

8.2.4 Deputy A.E. Jeune:

The Deputy in his address has referred to core services. Does the Deputy consider that there are non-core elements within T.T.S. and, if so, can they be outsourced and could he identify what these services are?

Deputy R.C. Duhamel:

I think I have already hinted at at least one of them and that would be the green waste composting service. It does seem to me a little bit ironic that we do not charge commercial landscape gardeners to dispose of their garden waste at La Collette at zero cost and yet farmers have to bear the full cost of disposing of their own agricultural waste. As I said in my opening remarks, there are anomalies

in the charging within the system and these have to be set out and remedied. We should have the same rules for everybody.

8.2.5 Deputy R.G. Le Hérissier:

How would the candidate restructure the Connex contract so that the States got better value for money?

Deputy R.C. Duhamel:

There is an element of difficulty with that because as we all know the contract was signed a year before it was due to be signed and indeed has been signed for a further 3-year period. It might well be that discussions have to take place in the near future to determine whether or not at the end of this 4-year period, Connex will be in the running for a further extension or the renegotiation of another contract. In the meantime, in order to change the contractual agreements that have already been set up I am told - because I have read the agreements and we have taken advice from the Scrutiny Panel on it - that it could well be a more expensive process than would be worth the money. But as far as I am concerned, as Minister, I will be happy to take advice and to go along with discussion of any Members who are interested in helping to sort out a better bus service for all Islanders.

8.2.6 Deputy K.C. Lewis:

Deputy Duhamel is a fellow St. Saviour Deputy, No. 1. In district No. 2 we have most of the Island's schools, not to mention Highland College. The traffic situation in the morning in rush hour and in the evening is truly horrendous, ruining the quality of life of many residents. If elected, what steps would the candidate take to alleviate this problem?

Deputy R.C. Duhamel:

I think we have already heard from the Minister for Health and Social Services-elect that *New Directions* is suggesting that our children are encouraged to walk and cycle as well as being bussed to school. I think what we have not done at Transport and Technical Services to as great a degree as I would like - and I would be very, very keen to push it - is to ensure that all children are offered the opportunity to cycle along safe routes to schools in order to cut down on the traffic Island-wide. One way of dealing with this - and the input from the Comité des Connétables will be absolutely vital because most of the lanes are in Parish ownership - would be perhaps to set out plans for a proper green network of lanes. Not just the green lanes that we have but linking them all up so they could function as a primary pedestrian route and cycling route for all Islanders, not only those who would be using them to get to school.

8.2.7 The Connétable of St. Lawrence:

Back to buses. How would the Deputy deal immediately with the issues of both poor bus service provision in some areas and no provision in others?

Deputy R.C. Duhamel:

It is down to whether or not people are prepared to pay for the service. I think what I would do would be to work with any of the residents from a particular area who would like to introduce a bus service or to beef-up that service and to see if we could find a way of engendering a commitment towards using the service because one of the reasons that the buses do not run as frequently on particular routes is that it is being run as a commercial enterprise up to a point and unless the demand can be shown to be able to be filled then the company are not as keen to introduce those services. So I think if we could turn it round and have residents from the district saying: "Look, we will commit to using the service so many times a day", and be prepared to sign up to that then I think it will be a sensible way forward and perhaps benefits could flow to introduce the services that are required.

8.2.8 The Deputy of St. John:

In this day and age with modern headlights on vehicles, *et cetera*, is it appropriate to have streetlights on say Victoria Avenue given that we are due to have a 24 per cent increase in electricity charges and that the lights on Victoria Avenue are due to be replaced?

Deputy R.C. Duhamel:

Some of the remarks I made about working with the Minister for Planning and Environment was that there is obviously an area of overlap with the energy policy. One of the things that is happening in other jurisdictions is that it is becoming fashionable to turn off lights at perhaps 2.00 a.m. or whatever to 5.00 a.m. or when the sunrise arrives in order to not only save the electricity but to allow people to sleep more soundly with darker skies. I think the Island could possibly move in that direction. It is certainly something that I would wish to have discussed. On a secondary issue, there is technology that can be built into lights these days which do not require the lights to be on 24 hours so to speak and the lights if they charged by solar panels or photovoltaic cells or whatever, there are lights and lighting sensors that will give light when it is needed and turn them off when they are not. That seems to be the current, fashionable way and the green way for dealing with your lighting problems. We save a bundle of energy and it is good for the planet.

8.2.9 Deputy T.M. Pitman:

I was about to say that to most of us I am sure getting more cars off the road to protect the environment and an improved bus service clearly go hand in hand. I think in fairness, the Deputy has really answered one of my questions so unless he has any specific initiatives he would like to outline I am quite happy to accept the answer he gave.

Deputy R.C. Duhamel:

Yes, I think I have on page 4; one of the ones I did not get to. One of the things that really annoys me is that we have a car park trading fund but the car parks do not really generate enough money in order to cover their maintenance. So we do the Jersey thing time and time again. In the absence of spending maintenance moneys on doing the buildings up, we wait until they are in a serious state of neglect before we knock them down and start again or build them somewhere else with lower capacity. One of the things I would like to see introduced if it is able to be introduced would be the idea of using our car parks to provide car clubs. The idea will be instead of owning your car in town and having to provide your own garaging or pay for spaces that are privately expensive, perhaps there is an opportunity for the T.T.S. Department working with commercial bodies or other people to put over one or 2 floors in each car park to allow cars to be hired and used ...

The Deputy Bailiff:

Deputy, that question was a bit of a long hop I think.

Deputy R.C. Duhamel:

It was. Okay, fair enough.

The Deputy Bailiff:

I will have to ask you to be more concise and we will move on to the next one I think.

8.2.10 Deputy M. Tadier:

The question is really to do with access issues for buses, which is something close to my heart. Being in St. Brelade, it is an issue for certain constituents. What is your solution to that and what is your solution to the luggage problems on the airport bus which go hand in hand?

The Deputy Bailiff:

Through the Chair please, Deputy.

Deputy M. Tadier:
They go hand in hand.

The Deputy Bailiff:
No, through the Chair.

Deputy M. Tadier:
Sorry, Sir.

The Deputy Bailiff:
What are the Deputy's plans for it?

Deputy M. Tadier:
Sorry, what is the Deputy's reaction?

Deputy R.C. Duhamel:
I am a bus user but not a very great one. As people know, I hold a driving licence but I do not have a car so I do use public transport quite a bit. Going to the airport is very difficult if you have luggage. I do not think it is right in this day and age for the comments that were expressed by the previous Minister to say: "Well, you spend your money on a taxi and that is the way to do it." I mean other places do run luggage wagons that tow your luggage behind. I think as part of the review of the bus contract we really need to look at buses that are properly more suitable for the Island's roads than the ones we have.

8.2.11 Deputy M.R. Higgins:

I would like to ask the candidate that as the T.T.S. budget is limited and because the £106 million incinerator contract is 70 per cent priced in euros, what services or projects he would drop from the T.T.S. wish list to cover the increased sterling cost of the incinerator project due to the falling value of the pound and the fact that the contract was not hedged?

Deputy R.C. Duhamel:

I am getting 2 different stories at the moment from the Treasury. One state says according to the proposition that the euro price was fixed on the date that the contract was signed so that means that the moneys are fixed and we just have to pay them up front. It does mean that we need our £106 million worth of euros now which we do not have as far as I am aware. On the other side it looks as if through the funding programme which is to pay for the contract in 3 tranches of £35 million or thereabouts it does, as Deputy Higgins suggests, look as if perhaps those euros will have to be purchased a year ahead or 2 years ahead or whatever. It is something that we need to look at because with the price fluctuations moving the way they have gone, it could be adding substantially to the £106 million project to the tune of tens of millions of pounds which makes the whole thing start to look a little bit uneconomic.

8.2.12 Senator S.C. Ferguson:

Will the candidate support a review by the Public Accounts Committee into the value for money of the existing Connex contract?

Deputy R.C. Duhamel:

Undoubtedly, yes. I did, as the questioner will know, ask for such a review to be undertaken a number of years back but due to pressure of work by the C.A.G. in other areas it was not done. So the answer is yes.

8.2.13 Senator T.J. Le Main:

I asked a question of the previous candidate. Would the candidate consider ... I and many other pensioners use the buses regularly to St. Helier, would the candidate investigate the feasibility of returning back with a comprehensive hopper bus service in St. Helier so people could shop around St. Helier and try and save and keep the markets and little businesses?

Deputy R.C. Duhamel:

In a word, yes, a hopper bus service is absolutely vital. I supported the hopper bus service when we had one a number of years ago and I would seek to do so again.

8.2.14 The Connétable of St. Mary:

I am always interested in trying to find a Jersey solution to a Jersey situation and I would welcome the candidate's views, whether he agrees with me that there are many junctions to which a filter in turn system is ideally suited and also that they provide a simple, cost effective, low maintenance way of not only calming and smoothing traffic flow but also introducing road courtesy among car users?

Deputy R.C. Duhamel:

I think the questioner is right. I do support filter in turn and I think it is one of these local quirks that go to enhance the uniqueness of the Island. A number of other societies are moving even further **[Interruption]** ... 3 minutes, thank you. Time to boil an egg. A number of other communities are going a stage further and removing traffic lights completely. This is on the basis that apparently it is counter-intuitive that it makes pedestrian crossings easier and it makes the drivers more aware. But I am in 2 minds over this because I would not like to see us introduce such an *avant-garde* system to the detriment of the crossing public and to lose a number of people before you proved it was unsafe.

8.2.15 The Deputy of St. Martin:

As the Deputy knows about 17 per cent of the Island's homes are not connected to the mains drains and the reason for that number remaining at that level is because of the lack of funding. What steps will the candidate take to address the lack of funding and would he consider imposing a tax on the 83 per cent of households who benefit from being connected to the mains drains system?

Deputy R.C. Duhamel:

Yes, this needs a bit of thinking. What we have not been told - and that is not just me but that is other States Members such as yourselves as well - is how much the connection costs to put the remainder of the houses on to the centralised system would cost. Now I think there is an element of education really that runs through the whole of what the department has not really done adequately in my view to such an extent that funding requests have fallen on deaf ears. So I think before I could determine whether or not however much it was going to cost to connect these 17 per cent to the system, I think the more important point is to initiate a proper review which sets out once and for all, for all States Members, to see the cost of all the different public services because until you know how much it costs for an extra foot of road or how much it costs to clean something or how much it costs to connect something somewhere or whatever then we are just kind of shooting in the dark. So first and foremost what needs to be done is the department... and I am sure they have the figures available; it is just a case of getting them put into the right schedules. I think we need to be updated so that we know the cost of all of these things before we can determine whether or not it would be a beneficial use of our taxpayers' money.

8.2.16 The Deputy of St. John:

Could we have the views of the candidate on the very poor bus service in the evenings in the northern and western Parishes of the Island which at times of the year is non-existent?

The Deputy Bailiff:

I am afraid time is up so you will never know the answer, Deputy. Then if the Connétable of St. Brelade can be invited to return to the Assembly and I ask that ballot papers be handed out.

Senator S. Syvret:

Sir, while we have this interregnum, just to let Members know I will be proposing it to be adjourned following the declaration of this result.

Deputy J.A. Martin:

Sir, I just heard what Senator Syvret said. Being that unless we elect all the Council today and it is just to test the mood of the House, Senator Walker is basically still Chief Minister. **[Laughter]** I just wonder ... no, I have no problem with that but we have 2 Ministers to go and I would just like to test the mood of the House if we could sit later tonight and finish the Ministries and go on to the chairs of Scrutiny Panels tomorrow. I would like to propose that and test ...

The Deputy Bailiff:

What I suggest is let us just concentrate on the ballot for the moment and we will deal with it while this vote is being counted. Now if the ballot papers could be collected then. Are all the ballot papers collected? Then I will ask the Greffier and Deputy Greffier to count the votes.

Senator S. Syvret:

Further to the point I raised earlier. I do not know for certain but I have heard rumours to the effect that there may be as many as 4 candidates for Education. Whether there is any truth in that I do not know, this is the States Chamber after all. **[Laughter]** But if there are 4 candidates then I think realistically we are going to have to adjourn now. We will be here for hours and hours. **[Approbation]**

The Deputy Bailiff:

Would Members wish to test the water at any rate and see how many candidates there are for Education and then decide whether to adjourn?

9. Education, Sport and Culture Ministry

The Deputy Bailiff:

Are you happy to proceed in that way, Senator Le Sueur?

Senator T.A. Le Sueur:

I am certainly happy to proceed to make my nomination, but I think I can only echo the words of Senator Syvret. The number of potential nominations for both these 2 positions will probably mean we will be here until at least 10.00 p.m.

The Deputy Bailiff:

That will then be a matter for Members to decide upon when they vote on whether to continue or not.

Senator T.A. Le Sueur:

It will as far as Education is concerned but we still do not know how many people there might be to stand for Housing thereafter. Anyway, I will certainly proceed to make the nomination for Education, Sport and Culture which is now in the name of Senator Paul Routier.

The Deputy Bailiff:

Very well. Is that seconded? **[Seconded]** I should have asked, I am sorry, the Connétable of St. Brelade and Deputy Duhamel, if either of you wanted to know ...

The Connétable of St. Brelade:

No, thank you, Sir.

Deputy R.C. Duhamel:

No, Sir.

The Deputy Bailiff:

Are there any other nominations for the Minister for Education, Sport and Culture?

Senator S.C. Ferguson:

Yes, Sir, I would like to nominate the Deputy of St. Ouen.

The Deputy Bailiff:

Is it seconded? **[Seconded]** Any other nominations?

Deputy G.P. Southern:

I would like to nominate Deputy Judith Martin.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Any other nominations?

The Connétable of St. Helier:

I would like to nominate Deputy Le Hérissier.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Any other nominations? Very well. Then we have 4 nominations. Deputy Martin, do you wish to maintain your proposition that ... **[Laughter]**?

Deputy J.A. Martin:

Definitely, Sir.

The Deputy Bailiff:

Is that seconded? The proposition being to carry on until the remaining 2 Ministers are elected **[Seconded]**. You do second it? Very well. All those in favour?

The Connétable of St. Mary:

Can we not speak, Sir, on it?

The Deputy Bailiff:

Yes, do you wish to speak?

The Connétable of St. Mary:

Yes, simply to remind the House that Standing Orders does make provision for definite timings for States Assembly sittings so that Members with other commitments, whether they are children, whether they are parents, whether they are any other commitments - we are all very busy with lots of States work and Parish work at this time of year - have definite timings so they can be sure they can attend when they are required to attend and that they do not have to attend at other times. I think to depart in this way is being grossly unfair to a large number of Members of this House. **[Approbation]**

Deputy M. Tadier:

Can I just come in on a practical matter? I think that the vote will be carried in your favour anyway so I suggest we just proceed to the vote and do it straightaway.

Deputy T.M. Pitman:

Yes, having just left the real world I regularly worked until the work had to be finished so I am quite happy to stay here on behalf of the people of Jersey until midnight.

The Deputy of St. Martin:

Could I just remind Members that the Greffier did inform all Members that they are likely to run on to Friday so I will ask that we adjourn now and do as we were requested to do.

The Deputy Bailiff:

Very well. I think on to the question of views; so I put the proposition is for continuing until the matters are finished or against if you wish to adjourn now. So all those in favour of Deputy Martin's proposition, kindly show. The appel is called for then in relation of the proposition of Deputy Martin. I ask the Greffier to open the voting.

POUR: 7

Senator P.F. Routier
Deputy R.C. Duhamel (S)
Deputy J.A. Martin (H)
Deputy of St. John
Deputy T.M. Pitman (H)
Deputy D.J. De Sousa (H)
Deputy J.M. Macon (S)

CONTRE: 44

Senator S. Syvret
Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Deputy of St. Martin
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)

ABSTAIN: 0

Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)

The Deputy Bailiff:

Very well. I am now in a position to announce the results of the election for Minister for Transport and Technical Services. The Connétable of St. Brelade received 33 votes. Deputy Duhamel received 19 votes. I, therefore, declare that the Connétable has been elected as the Minister [Approval]. So in view of the vote of the Assembly we now adjourn until 9.30 tomorrow morning.

ADJOURNMENT

APPENDIX

STATEMENT OF PROPOSED POLICIES AS MINISTER

Senator F.E. Cohen, Minister for Planning and Environment

1. I was honoured to have been appointed by this Assembly as Planning and Environment Minister three years ago.
2. During the last three years I have fundamentally changed the direction of the department in partnership with my Assistant Minister, the Deputy of Trinity.
3. The planning side has been turned on its head and now focuses primarily on good architecture. On the environment side the importance of our environmental responsibilities has been significantly raised in Island life.
4. The ECO-ACTIVE programme has been a great success. Its message is to promote environmentally conscious decision making. The ECO-ACTIVE plastic bag reduction initiative resulted in an island-wide reduction in the use of plastic bags in supermarkets of over 90%. The ECO-ACTIVE brand has recently been extended to ECO-ACTIVE SCHOOLS, ECO-ACTIVE BUSINESS and ECO-ACTIVE MARINE. Our message of environmentally positive decision making is presented to all age groups and it is gratifying that over 5,000 local children participate in Environment Week this year.
5. The two divisions of Planning and Environment need to be brought together under one roof. This will enable the symbiosis of the sections to grow and greater practical environmental awareness will permeate thought the planning process. The new Building Bye-laws will shortly be brought to the Assembly if I am re-elected and these will focus the delivery of our

new buildings against a commitment to reduce our carbon emissions.

6. The new energy policy paper will set a path to ensure the sustainability of our energy supply mechanisms and inject environmental responsibility into the energy choices we make, focusing also on realistic renewables. In this area a report will shortly be issued by the tidal Energy group chaired by the Connétable of Grouville and this will lead to the practical delivery of mechanisms to harness our tidal range resources.
7. The sections will work together to deliver the £1.5m home energy improvements grants agreed by this Assembly recently. This measure has the opportunity not only to save low income families money but to reduce our carbon emissions and make us literally a world leader in responsible distribution of grant assistance directed towards meeting our environmental obligations. I will be leading a public consultation on environmental taxes to ascertain if islanders wish to adopt ring-fenced environmental taxes to continue funding environmental initiatives.
8. Another example is working together as a department to deliver more environmentally sustainable transport solutions to promote cycling and car pooling, particularly as a part of urban regeneration.
9. I propose the establishment of Jersey's first National Park in the St Ouen's Bay area. This project will be a true partnership with the community and if elected I look forward to leading the consultation.
10. I believe that the appointment of the Assistant Minister as having specific responsibility for the natural environment was a very positive step. For the first time under ministerial government the natural environment has its own political champion.
11. The key policy under development is of course the new Island Plan for this will direct the future of our island's built and natural environment and I would expect this to be debated by the House in late 2009. This should be based around the regeneration of urban areas by the provision of high quality apartments and houses with good amenity space. This should be accompanied by a virtual ban on greenfield development for the foreseeable future.
12. The key to urban regeneration is, of course, focusing on high quality homes and I have already raised the minimum room size specification for new developments by 10%.
13. I will continue to progress the shared equity model. The provision of social rental property

should not be ignored but developing mechanisms to provide affordable home ownership is essential. We are currently reviewing our mechanisms for delivering affordable homes and if I am re-elected it is my vision that we should deliver affordable homes on all large developments in the future not just on rezoned sites.

14. Much of the town regeneration of course will depend on the Esplanade Quarter development as it is from this that the £50 - £75m required will be sourced. We must resist all temptation to use the Waterfront money for anything other than town regeneration.
15. The Waterfront masterplan was endorsed by the Assembly by a huge majority. The application has been the subject of a public inquiry but I have made it clear that a full consent will only be given if two conditions are met. The first that the developer must prove they have the financial ability to undertake the scheme and the second, they must demonstrate they have tenant demand. We need to ensure that no risks are taken.
16. We have a vision to deliver a wonderful development comprising 400 much needed homes for local families, new offices for our financial services industry and a wonderful public realm comprising a magnificent wintergarden, a granite arch colonnaded cloister central square and two other public squares and a new public garden. This truly has the potential to be an architectural masterpiece delivering pride to islanders.
17. During my term I have delivered the Percentage for Art concept. Literally dozens of wonderful works of art are being commissioned and these will emerge over the next year or so. I have no doubt that people will come to Jersey to see these works.
18. The new buildings we impose on our Island will remain for centuries. With this principle as my guide I have completely restructured the Planning Department around the quest for better architecture. New design supplementary planning guidance has been issued, requirements for physical models introduced and the post of Department Architect created. We have delivered approvals for fabulous schemes designed by acclaimed architects, and excitingly, by local architects. It is reassuring that 95% of approved larger schemes are designed by local architects and most non island architect schemes are in partnership with local practices.
19. We have promoted both respect for our local vernacular and the endorsement of the best contemporary architecture. I formed the Waterfront Design Group (WDG) comprising of leading heritage and architectural experts drawn from the Société, Save Jersey's Heritage, Jersey Heritage Trust and others. The group has led the development of the Waterfront

architecture and has delivered a blend of local vernacular inspired architecture at the ground level with lighter 21st century architecture for the upper floors still however based on the proportions of the vernacular. One thing I assure members is that when we see the final buildings we will know we are in Jersey. Gone forever are the days of irrelevant faceless architecture of the cinema complex, the pool and the hotel.

20. The use of local voluntary expertise is something I have and will continue to embrace. The WDG is just one example and I have also formed the Tidal Energy Group and the Environment Think Tank. Each group negotiates its own terms of reference and is left to get on with their work in the knowledge that their output will be progressed into policy. Indeed these groups have already had significant impact in the policies I have followed.
21. Early in my term I formed the ministerial historic buildings advisory group. This large group comprises architects, constructors, heritage experts and engineers and it provides the central advice on what I should or shouldn't list. I am firmly of the view that valuable listed buildings must not be demolished but that does not mean that they can't change as the very nature of the development of historic buildings over the centuries is that they change to survive.
22. I am in the process of developing a completely revised listing process and moving away from the BLI and SSI designations to a system of grades.
23. The planning application turnaround time is considerably slower than I would like in many cases. This is the result of progressive budget cuts at a time of increased legislative requirements. However the additional resources recently agreed by this assembly will allow us to improve the service significantly during 2009. This will be combined with an increase in the list of works that can be carried out without making a planning application to enable the Planning department to concentrate its resources on the applications that really matter.
24. I have had a very positive and hopefully mutually rewarding relationship with the Environment scrutiny panel. Whilst they have called me to order when they have felt I was going wrong our relationship has enabled scrutiny to make suggestions relating to developing policy and many many of these suggestions have been adopted. Their reports are valued and form the basis of much of our long-term policy. I sincerely hope that if I am re-elected this positive relationship will prosper.
25. I sincerely hope members will give me the chance to continue developing the vision for our

built and natural environment and I hope you will consider me worthy of your vote.