

4. Questions to Ministers without notice - The Chief Minister

4.1 Deputy C.H Egré of St. Peter:

While appreciating that all media reporting may not always be accurate, would the Chief Minister confirm, as reported in the *Jersey Evening Post* last week, that in his absence, as he was ill, that the meeting he was due to chair was in fact chaired by the Chief Executive. If that is correct, would the Chief Minister agree that with the current sensitivity regarding the position of the Chief Executive it may have been better had that meeting been chaired by his political deputy or one of his other Ministers?

Senator F.H. Walker (The Chief Minister):

I am not sure what issues there are relating to the Chief Executive. To the best of my knowledge the Chief Executive is widely regarded as doing an excellent job. The fact was that I was unexpectedly not in the office, I was due to take the press conference, and the Chief Executive became aware of my inability to do so about three-quarters of an hour before it was due to start, and he took the decision - absolutely correctly, in my view, given the timescale - that it was more important that a press briefing went ahead than it did not, and I believe his decision was the right one.

4.2 Deputy S. Pitman:

Should the Bailiff preside over questions being asked of him when he is pre-warned of these questions, and when there is an official to take his place?

Senator F.H. Walker:

I did not understand the question, I am sorry. If the Deputy could speak up a bit I would be grateful.

4.3 Deputy S. Pitman:

A few weeks ago I asked questions concerning the Bailiff, and the Bailiff sat over the questions, and I would like to know your view as to whether or not the Bailiff should be presiding over those questions which he has been pre-warned about?

Senator F.H. Walker:

The Bailiff should be presiding over questions? I am sorry if I am being thick, but I just do not understand the point of your question.

4.4 Deputy S. Pitman:

I will say it slowly for the Chief Minister. Should the Bailiff preside over questions being asked about him when he has been pre-warned of these questions and when there is an official there to take his place?

The Bailiff:

I think the Deputy is referring to the questions relating to a speech that I gave in Liechtenstein.

Senator F.H. Walker:

Thank you for making that clear, Sir. We are referring to the time that you spoke at the Liechtenstein conference I assume, and therefore the Deputy's question is should you preside over questions that are being asked about your involvement in that conference? Right. Well, I am very pleased I have got the point, and thank you, Sir, for clarifying it. Sir, this is House procedures and I do not believe it is in any way inappropriate for you to preside at a time I am being asked questions, not you, Sir, about the Bailiff's involvement in a conference. I have no problem with that issue whatsoever.

4.5 Deputy D.W. Mezbourian:

The Chief Minister will recall that he agreed to find out about the progress of the review into the likelihood of the States placing funds into ethical investments. Will the Chief Minister now please advise on that progress?

Senator F.H. Walker:

Yes, I am delighted to inform the Deputy that the review is effectively complete and a proposal will be coming to the States early in the New Year.

4.6 Deputy D.W. Mezbourian:

Will the Chief Minister please advise whether or not he would support such investments and the reasons for or against that support?

Senator F.H. Walker:

I would support ethical investment, but at the same time we have to recall that monies are being invested in the best interests of the people of Jersey overall and it is essential that the value of their investment is protected and increased wherever possible. So, as in so many things here I think we are dealing with a balance; we are dealing with a balance between good profitable investment on behalf of the people, and the moral wish that we would all wish to subscribe to for ethical investment. But I am hoping, Sir, that the Deputy will see that very clearly outlined and explained when the proposal comes to the House early in the New Year.

4.7 The Deputy of St. John:

I understand that at the recent Council of Ministers meeting, acting on the advice of the Attorney General, it was agreed that no further action should be taken with regard to reviewing the current Extradition Law. In the light of this, could I ask the Chief Minister would he consider the merits of perhaps writing formally to the British Government and making them aware of the extent of concern that has been expressed by Jersey's business community, particularly with reference to the UK's current extradition arrangements with the United States?

Senator F.H. Walker:

I am not quite sure about the level of concern, certainly I have received no contact on this matter whatsoever from the business community since the NatWest3 case was in the headlines. I have received no representations whatsoever from any lawyers or any other members of the business community, but nevertheless I think the Deputy's suggestion is one I would like to give further thought to.

4.8 Deputy G.P. Southern:

In answer to a written question tabled earlier today, the Chief Minister appears to have failed to answer my question of what the other issues are that make him loath to go to renegotiate protocol 3. His answer he says simply: "We should consider what the European Union might seek in exchange." Can he elaborate on what he believes the E.U. (European Union) might seek in exchange for renegotiating protocol 3?

Senator F.H. Walker:

Of course it is entirely possible that the E.U. might seek - now, that is not to say that Jersey would agree or that Jersey would do anything other than strongly resist - changes to our tax structures; they might seek to impose E.U. levels of harmonisation in V.A.T. or in other forms of taxation. Of course there could be many other things that might be on the agenda at any such negotiation, and I simply cannot believe that it is in anyway in Jersey's best interest, given the relatively minor nature of the "Jersey issue", i.e. the passport stamp. I simply cannot believe that it can ever be in Jersey's best interest to enter into such a negotiation on such an issue knowing

that the possible downsides of that negotiation are very much more serious to the people of Jersey than the current issue of a stamp in a passport.

4.9 Deputy J.A. Martin:

To the Chief Minister, in your absence I asked a question of the Assistant Chief Minister regarding the Corporate Management Board and who can obtain agendas and minutes. The House was given an assurance by the Assistant Chief Minister that he would look into this and that Scrutiny may have selective papers. The problem being, Sir, is we still do not know what is on the agenda, so how can we ask for the appropriate papers relevant to the Scrutiny Panels? Could the Chief Minister inform us how this progress is going, and even now, Sir, if he is allowed to see the minutes, because under the email I got from the Chief Executive Officer at the time it was he takes the minutes and he decides who they are distributed to, and I said at the time: "Is this not a piece of the tail wagging the dog?" Could the Minister please answer those few questions?

Senator F.H. Walker:

It is not a case of the tail wagging the dog. Of course it is not, because no binding decisions are taken at the Corporate Management Board. Decisions are taken politically, either by the Council of Ministers, by individual Ministers, or indeed by this House. Politicians are advised by officers, not least the Corporate Management Board, and that is the way it should be. No, I do not see the minutes of Corporate Management Board meetings and nor do I feel that I need to do so.

4.10 Deputy R.G. Le Hérissier:

Would the Minister not acknowledge that the presence of only 3 Ministers at an especially convened meeting for the Council of Ministers on the future of the dairy industry - Deputy de Faye, Senator Routier, and the one Minister who stayed for the whole meeting, Senator Cohen - was a very bad slight upon that industry. Admittedly the Chief Minister himself was ill; admittedly another Minister was suffering a personal issue. Would he not acknowledge, Sir, given the importance of that special meeting convened for both Scrutiny and the Council at which there was a full attendance by Scrutiny, it was a very unfortunate attendance and a very unfortunate sign of the apparent lack of confidence in that industry?

Senator F.H. Walker:

Sir, it is nothing of the kind. The Council of Ministers has given tremendous backing to the work being undertaken on the dairy industry at this point, which I am personally leading. There were 4 Ministers who could not be there for absolutely totally legitimate reasons, and others had pre-meetings from which they could not easily extricate themselves, so I do not accept the Deputy's, as always, negative connotation. What I will say, Sir, is that if you ask the producers, who are the people who matter in this first of all, the consumers of course will have a very big part to play, but if you ask the producers are they getting support from the Council of Ministers, the answer will be an unqualified yes.

4.11 Deputy R.G. Le Hérissier:

Would the Chief Minister define the exact nature of the support ...

Senator F.H. Walker:

Yes, Sir, I would. The Deputy is aware that a report is being commissioned by a company called Promar, which has recently been published, although the final document will be published I think in 2 days time. We are working very closely with a sub panel of Scrutiny led by Deputy Breckon. I have personally met with the mass ranks of the producers on 2 occasions, and met with the board of the dairy on other occasions. The Minister for Treasury and Resources will be making a statement shortly this morning which gives a very positive response to the request from

the producers to make real progress here to give them a future which they can identify with and face with confidence.

4.12 Deputy S.C. Ferguson of St. Brelade:

Would the Chief Minister like to confirm that he is aware that today will be the annual soup kitchen in aid of the Shelter Trust for the Homeless and that he would encourage all members and the public who are listening to attend to assist this worthwhile charity?

Senator F.H. Walker:

Yes, wholeheartedly and warmly. I know that most Members attend in any event, and I very much hope that every Member of the House will make every effort to do so today. And, yes, to the public listening, the more people who attend this event the better because the cause is an excellent one and by coming down and sampling an excellent range of soup they can be showing in a very meaningful way their support for the less well-off and the underprivileged in the Island. So, I would counsel and request everyone possible to attend in the Royal Square throughout the lunch hour today.

4.13 Deputy G.P. Southern:

Will the Chief Minister explain to Members exactly how the new Ministerial decisions supplementary guidelines toughen up the act of Ministers making decisions, because it seems to me, having read them through, they seem to be normal practice?

Senator F.H. Walker:

Well, the Deputy has not read them closely enough. I am not going to go into the absolute detail now, but it is suffice to say that the new guidelines do toughen up the procedures and make the responsibility that Ministers and their Chief Officers have very clear indeed. Of course the objective is to ensure that all decisions are taken in a proper and correct fashion, and I believe that the new guidelines will achieve that very necessary objective.

4.14 Deputy P.V.F. Le Claire:

Would the Chief Minister update the Assembly as to what the implications will be in relation to the arrival of the E.U. working time directives on the States of Jersey, and if the Chief Minister is able to provide members in the future with a briefing paper in relation to how this will affect our community, because I understand it is going to be extremely onerous upon us. Also, as an aside, would the Chief Minister not also agree to analyse whether or not continuing to adopt E.U. measures is affordable when they continue to pressurise us on the financial front?

Senator F.H. Walker:

It will be a matter for this House whether we adopt the E.U. working time directive, and as non-members of the E.U. we are not obliged to do so, and that will remain the position. The second part of the Deputy's question, of course it is sensible for Jersey and the government of Jersey to maintain good relationships with member states in the E.U. and we have of course signed individual Jersey agreements with individual member states for the first time in our history, and I can report, as I have done before, that the reputation of Jersey and the standing of Jersey is higher among member states than it has ever been, and that can only be helpful to us when we enter into negotiations, which we are doing with member states under the guise of the O.E.C.D. (Organisation for Economic Co-operation and Development) in this context when we are negotiating economic benefits for Jersey, such as free market access, removal from any residual black lists and so on. Our standing and profile, and dare I use the word "personality", internationally puts us in very good stead in that respect and it is infinitely in our best interest to retain good relationships and seek to negotiate benefits for Jersey rather than basically seek to ignore the E.U. and say: "We are having nothing to do with you." That is not the way forward if we want to sustain Jersey's very prosperous economy.

The Bailiff:

That concludes the second question period without notice