

4. Questions to Ministers without Notice - The Chief Minister

4.1 Senator L. Norman:

This morning the Council of Ministers presented comments which stated the Council endorses the view, as expressed by the Minister of Health and Social Services, that the proposal for the development of a private hospital is without merit. Could the Chief Minister say what evidence is there to support their view, what discussions have taken place between the Council and the developer, potential operators and their advisors to enable them to reach that view, Sir?

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

The view was taken - I believe rightly - on the very strong advice of the Health Department and the Health Minister. No discussions have taken place between the Council of Ministers *per se* and the developer but in this instance - as we do in other instances - we have faith in the judgment of the Health Department and the Health Minister.

4.2 Deputy G.P. Southern:

Will the Minister guarantee that the Human Rights Jersey Law (2000) will be brought to this House this year notwithstanding any outstanding problems with sexual offences, criminal justice or employment laws?

Senator F.H. Walker:

Yes, Sir.

4.3 Senator B.E. Shenton:

The Code of Conduct for Ministers, under compliance, says any infringement by the Ministers must be reported to the Ministers and the Ministers will decide what action to take. Does he not think that it would be better to report any infringements to the PPC (Privileges and Procedures Committee)?

Senator F.H. Walker:

Not in the first instance, no. The Council of Ministers is determined to apply a thoroughly rigid code of conduct. I think that is evidenced by the document we produced. We are very confident that, in the first instance, we are more than capable of self-policing. Of course, if there is a serious breach then it would need to be referred to PPC and perhaps, ultimately, to the House.

4.4 Deputy J.A. Martin:

In the Council Minutes of 26th January it is reported that they are going to withdraw P.201. It is also noted there are some 27 actions that can go ahead without bringing them back to the States. Obviously the Minister may not be able to inform us now of the 27 actions but could he ensure that the rest of the States Members know these actions as soon as possible? In the last Minute it is reminded that all Ministers who have any concerns with the policy should contact Senator Kinnard as soon as possible in writing. Would the Minister please extend this to all other States Members who have any concerns on the criminal justice policy so that we could also report on or raise concerns.

Senator F.H. Walker:

I am flattered that the Deputy believes she needs to wait for the consent of the Council of Ministers before contacting the Minister. I am sure she never held her back before and I do not imagine it would hold her back now or any other Member of the States for that matter. She is right about the 27 to-dos or issues that can be done. I do not believe that the Minister for Home Affairs would have any problem at all in publishing that list. It is very straightforward and I will discuss it with her with a view to seeking publication of the list to State Members.

4.5 The Deputy of St. John:

I would like to ask the Minister if and when a States employee is suspended on full pay, due to disciplinary issues, if that person is later found guilty would the Minister consider it appropriate and indeed possible that any remuneration due in the suspended period be paid back to the States?

Senator F.H. Walker:

I doubt that that is possible. I absolutely appreciate the sentiment of the Deputy and would very much like to agree with him but I doubt that legally or contractually that would be possible. Can I say at this stage - or perhaps reaffirm at this stage - that the Council of Ministers view with, I think "alarm" is the right word, the current situation regarding suspensions and the way the disciplinary code of conduct is being applied. I have asked the Chief Executive to carry out a full review - to produce a full report with recommendations - as a matter of great urgency and he is doing that right now.

4.6 The Connétable of St. Helier:

The Chief Minister may recall that I attempted unsuccessfully to amend the budget of the then Policy and Resources Committee in respect of the Communications - or spin - Unit. Could he comment on the performance of the Unit last year and in recent months and outline his plans for resourcing the Communications Unit in future?

Senator F.H. Walker:

The Communications Unit throughout the last year was responsible for a considerable number - I have no idea how many - a considerable number of press releases to the media, a considerable number of press conferences, answering questions from the media and the public on a virtually everyday basis, organising events such as 'Imagine Jersey', organising a considerable campaign on behalf of the then Privileges and Procedures Committee to boost electoral registrations and another considerable number of activities on behalf of then States Committees or, in some cases, individual States Members. The resourcing of the Unit currently it has been running with two contract staff. One of those contracts has come to an end and the budget thereby saved is being used to recruit a communications manager and the unit thereafter will consist of two members of staff.

4.7 Deputy P.V.F. Le Claire:

Given the imminent departure of the Chief Executive of Jersey Finance - who I am sure the Chief Minister will agree with me is going to be a sad loss - does he have any indication as to who will be taking his place given the importance of the role?

Senator F.H. Walker:

I regret the decision of the Chief Executive to resign and move into the private sector but fully support his ability to make that choice. What we need to do now is ensure his successor is of at least the same calibre and has at least the same ability to promote and lead the finance industry forward and that process has already begun.

4.8 Deputy D.W. Mezbourian:

Will the Chief Minister advise the House whether he has held discussions with the Treasury Minister on the matter of the States placing funds into ethical investments?

Senator F.H. Walker:

No such discussion has taken place to date but I have no problem and I am sure the Treasury Minister would have no problem in holding such a discussion and reviewing our position.

4.9 Deputy R.C. Duhamel:

Recently reported was the intention of the Council of Ministers to set up a Citizens Panel in order to assist with discussions of forthcoming policies. Would the Chief Minister indicate the level of funding that has been thought about in order to service this worthy cause?

Senator F.H. Walker:

I cannot answer this morning because the plans are still in embryonic form but the intention is that this will be set up at a very low cost indeed. Of course, as with all things, the cost of this will be monitored and the value-to-cost ratio very carefully considered. We do think it is a very important step forward in our plans to consult more fully and further with the public. Could I say, we are deeply, hugely encouraged by the response to the social survey where, of 3,000 forms distributed, 1,800 have come back. This indicates the consultation is working but we believe we can improve it still further and intend to do so.

4.10 Deputy J.A. Martin:

On 26th January, the Council received a presentation from WEB (Waterfront Enterprise Board) and an updated report on the economic model on 9th February from PriceWaterhouseCooper. Could the Minister please inform the rest of the House when this presentation will be available to all States Members, thank you, Sir?

Senator F.H. Walker:

There is a public forum, of which Members are aware, to be held on 4th March, organised by the Planning and Environment Minister. The consultation period ends at the end of March. There will be, of course, full information available to Members at the earliest possible opportunity but I cannot put a precise date on it at this point.

4.11 Deputy R.G. Le Hérisssier:

Would the Minister acknowledge that, given the exchange that took place about how many new senior people have been recruited, that at heart there is a serious problem no matter how we define the level at 50,000 or 60,000 and how we build in RPI (Retail Price Index). Would he be prepared, Sir, to give us the figures and the positions where this growth has occurred? Then we can compare the Chamber's figures with those that the States are using because it is quite clear, Sir, that there has been a massive growth at the senior levels irrespective of the cutbacks in other parts of the service.

Senator F.H. Walker:

I am sorry, the Deputy is quite wrong - that is just not factually the case. I am more than happy to provide him and Members with the full facts and figures which will clearly demonstrate that fact.

4.12 Deputy P.V.F Le Claire:

May I ask the Chief Minister on identification cards, recently approved in the United Kingdom, whether Jersey will be going along this route? Will the Council of Ministers be considering this? Will they be considering issuing identity cards to members of the European Union who may require their own cards from their own countries and how that will link into the passport system with Biometrics?

Senator F.H. Walker:

We are not yet considering the identity card issue in the same way as the UK or the EU but, no doubt, that will be a matter for us to consider at some point in the future. I would, however, remind the Deputy that under the migration policy the House has agreed that we should have the

means of identifying everyone who lives in, or who comes to, the Island. That policy is now in the process of being planned and will be implemented according to the timetable agreed by the House.

4.13 Deputy J.G. Reed of St. Ouen:

I would like to ask the Chief Minister how does he reconcile the fact that on the one hand we have subscribed and signed up to 'better, simpler and cheaper' and, yet, in the Council Minutes of 26th January, the Minister for Treasury and Resources stated that the States had already effectively spent the £20 million worth of savings achieved?

Senator F.H. Walker:

The £20 million is a real saving and the House heard a very good example from the Minister for Transport and Technical Services this morning of where savings have been made. The fact is that Members of this House and members of the public demand a high level health service and a high level education service primarily. The facts are because of demographic growth that the demands on the health service grow year-on-year remorselessly. Because of demographics, the demands on the education service have grown year-on-year remorselessly. We have a choice. We either say that saving money is what we are all about and, therefore, we are going to reduce our core services; or we continue to provide the service levels that the public want and have to spend more money in the core social areas while saving it which we are most certainly doing in every other area of the States.

4.14 Deputy A. Breckon:

Can I come back to the Waterfront? The Council Minutes of 26th January show that representatives of PricewaterhouseCoopers were in the process of updating the analysis which they have undertaken previously in relation to the economic impact of the proposed development. Their report, which would be completed in a week's time - that is to say it has been done I would presume - would then be reviewed by the Economic Adviser and his findings presented to the Council's Meeting on 9th February 2006. Could the Minister confirm that that was presented and, if it was, when it will be available?

Senator F.H. Walker:

No, Sir, it was not presented. There has been a delay and the Economic Adviser is currently reviewing the PricewaterhouseCoopers' report and we are awaiting his report on that report. That will come to the Council of Ministers, I believe, at the next meeting. Of course, we will then take decisions on how we feel about it and how best to move it forward. It will, of course, be made available. All the information will be made available to States Members at the earliest possible opportunity.

4.15 Deputy G.P. Southern:

Does the Minister consider that the decision of the previous Economic Development Committee, of 13th October 2004, to abolish the Economic Benefit Test - meaning that there will now be no requirement for a minimum tax contribution for an employer taking up office space and staff resources in Jersey if they are foreign principals. Does the Minister consider that that decision fits in with his sustainable growth policy and his fiscal strategy?

Senator F.H. Walker:

I think I would require notice of that question. I am not fully *au fait* with the issue the Deputy is raising but I am more than happy to get further information from him.

4.16 Deputy P.V.F. Le Claire:

Could the Chief Minister give us a view as to how he feels the Council of Ministers is operating under this new system? I do start to believe it is working a bit better than - I never thought I would say it - the old system. How does he feel it is progressing at the moment?

Senator F.H. Walker:

I am glad the Deputy asked that question, Sir. I think it is working extremely well and I think what Jersey is getting now, in terms of its government - although I do accept that there is a great deal of evidence that yet needs to put to this House and to the public - I believe that what Jersey is getting now is genuine joined-up government operated by a group of people who, though holding wildly different views in some respects and being very strong-minded individuals, have proven their ability already to work together very constructively and very positively as a team and have shown their absolute determination to drive Jersey forward and improve matters for the Island generally. At this moment in time, I am very pleased indeed with the way it is working and I am very grateful to my fellow Ministers for the way they are prepared to work together and to reach decisions in the best interests of the Island.

4.17 Deputy J.A. Hilton:

It is my understanding that recently the Education, Sport and Culture Committee has employed a community football officer and I think his remit is to reach out to those young people in St. Helier who do not access the normal football clubs and associations. Has the Minister got a view on the fact that the facility which is best suited to facilitate that action is currently barred to young people for quite a good part of the year? I am talking about Springfield and the fact that young people cannot access that facility. Has he got a view on that and, if he has, can he advise the House on how he feels that we might be able to address that issue?

Senator F.H. Walker:

I think that is primarily an issue for the Education, Sport and Culture Minister. It is not one that has ever come to my attention and, therefore, it would be wrong of me at this point to express a view. I will certainly take it up with the Education Minister.

The Deputy Bailiff:

Very well. I am afraid that concludes the time although, on that occasion, some 17 questions were asked.