

4. Questions to Ministers without notice - The Chief Minister:

The Bailiff:

If there are no other questions for the Minister for Health we come to the second question period for the Chief Minister. I invite questions.

4.1 Deputy S. Power:

The Chief Minister will be aware of the recent appointment of a Director for Civil Aviation for Jersey Airport. As the Chief Minister and his department are responsible for external relations and the Home Affairs Department is responsible for on-Island security and on-Island matters, can the Chief Minister confirm why the position is not based at the Chief Minister's Department?

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

To the best of my knowledge that question has never before arisen and I do not believe that my department is the appropriate place for such an office or officer to be located.

4.2 Deputy I.J. Gorst:

Does the Chief Minister agree that the siting of a mobile animal incinerator and the animal carcass storage unit at Howard Davis Farm adjacent to Acorn Enterprises is both unnecessary and unacceptable? Furthermore, will the Chief Minister agree to work both with his Ministerial colleagues and all interested parties to find a more acceptable solution?

Senator F.H. Walker:

I agree with Deputy Gorst that its location is unacceptable. I do not agree that it is avoidable at this time and I am aware and indeed have been personally involved in detailed discussions on an alternative. The Deputy is aware that there is no current easy solution. There is a longer term solution that I think everyone accepts and is signed-up to but finding an answer in the immediate future is extremely difficult. I will give the Deputy an assurance that I will continue to press for an alternative location to be found.

4.3 Deputy K.C. Lewis:

The United Kingdom has drastically under-estimated the level of immigration by 300,000 and is now closing the door to immigrants from Romania and Bulgaria. Will the Chief Minister be following suit?

Senator F.H. Walker:

We keep all U.K. policies on immigration under very careful scrutiny but at this juncture there is absolutely no suggestion that Jersey suffers from the same problem. I think the Deputy is aware that there is strict monitoring of our immigration issues and, indeed, when proposals agreed by the States come into effect it will be even tighter and we will have even more information. So whether or not we follow suit with the U.K. remains to be seen but I can assure the House that there is no pressing problem in Jersey such as that unveiled recently in the U.K.

4.3.1 Deputy K.C. Lewis:

Supplementary, sir? While I applaud anyone who travels to another country to improve their lives, my concern is with the people of Jersey and protecting the Jersey way of life. We have heard lots of talk lately about human rights. When will the real Jersey people who are Jersey born of Jersey parents and Jersey grandparents have this abomination removed from their passports that they may not work in the European Union?

Senator F.H. Walker:

This is an issue that has arisen on occasions far too frequent to be counted and there have been many explanations given to this House over the years about why that qualification appears and the downside to Jersey of removing it. Jersey's relationship with the E.U. generally speaking

works very much in Jersey's favour. If we seek to change that part of it then we will put inevitably other issues relating to Protocol 3 on the table which would almost certainly - or could well - lead to Jersey's detriment. It is not an issue in the best interests of Jersey that I am minded to pursue. I would add that, of course, Jersey people can and do work in the E.U. I am aware of many Jersey people who are working in the E.U. Do they have to get a permit to do so? Yes. Is that permit generally given for the right person for the right job? Equally yes, and I reaffirm there are currently many Jersey people enjoying lucrative careers within the European community.

4.4 Connétable M.K. Jackson of St. Brelade:

During oral questions the Chief Minister answered Deputy Pitman's question on the responsibility for the loss of £1.5 million of public money at Le Squez as being the responsibility of the Housing Minister before Ministerial government was put in place and as a consequence did not feel that he could comment any further. Might I ask him, in this Ministerial government that we have at present, how he would view a hypothetical situation of a loss of £1.5 million and how he would define accountability of Ministers?

Senator F.H. Walker:

I am glad the Constable did say hypothetical situation because it is indeed a hypothetical situation. As I said in my answer, firstly, the Housing Minister in his capacity as President of the Housing Committee acted totally in accord with established practice at the time. Secondly, since he became aware of it, which was after he was appointed by the House as Housing Minister, he has taken very direct and proactive action to resolve it. I think I have demonstrated very clearly that if I believe a Minister has behaved or performed unacceptably I will take the most drastic action necessary to resolve that issue and that will always remain my policy.

4.5 Deputy S. Power:

I would like if possible to bring the Chief Minister back to my first question, which was related to the appointment of Director of Civil Aviation for Jersey? As the Chief Minister and his department have responsibility for external relations, can the Chief Minister confirm to the Assembly whether he is aware whether any negotiations took place with our sister Island, Guernsey, in the sharing of this director for both Islands?

Senator F.H. Walker:

My understanding is that some time ago - and I would estimate a couple of years or so ago - there was a strong move to appoint a Director of Civil Aviation for the Channel Islands. My equal understanding is it was rejected by Guernsey. We have little choice therefore but to go ahead and appoint Jersey's own Director of Civil Aviation. I regret that, but that, I am afraid, is the state of play at this moment.

4.6 Deputy D.W. Mezbourian:

Will the Chief Minister give his views on those of his Ministers who threaten to resign should a vote in this House not go the way in which they want it to?

Senator F.H. Walker:

The Deputy is clearly, I assume, referring to statements made by the Treasury and ...

Deputy D.W. Mezbourian:

I am not. Perhaps the Chief Minister will answer my question anyway. I asked for his opinion, Sir.

Senator F.H. Walker:

I do apologise, Deputy, I am not quite sure what she is asking me to give an opinion on, in that respect.

The Bailiff:

I do not think, Deputy, that Standing Orders allow you to ask a hypothetical question

Deputy D.W. Mezbourian:

I apologise for that, Sir. In that case, perhaps the Chief Minister will respond as he originally intended to? **[Laughter]**

Senator F.H. Walker:

I do not believe it is appropriate for a Minister to use a statement about possible resignation as a threat, nor do I believe that has happened. I am aware that a statement has been made by the Treasury and Resources Minister, which reflects his highly-principled stand and total commitment to the policies that he is putting forward and his absolute belief that if they are not accepted by this House then chaos will ensue. He has made a statement that he may well not wish to preside over such chaos. I believe that is not a threat. I believe that is a stand of a principled man who genuinely believes that what he is doing is in the best interests of Jersey. **[Approbation]**

4.7 Deputy A. Breckon:

Can I ask the Chief Minister if he has seen any recent report and accounts for the Waterfront Enterprise Board and if he could comment on whether he thinks it is good value for money for the public for the contract to give the old abattoir site for 150 years for £1?

Senator F.H. Walker:

That is a very misleading statement because I think the Deputy is well aware that the actual value of the site to Jersey and the people of Jersey is very considerably higher than that and I am very satisfied that the Waterfront Enterprise Board is currently extracting a very high value for the land under its management and will continue to do so. Much will depend on the decisions taken by this House in due course on the so-called Hopkins Scheme - the sinking of the road - but the potential value to the public of Jersey of the Waterfront, as proposed by the Planning Minister and the Waterfront Enterprise Board, is very considerable indeed.

4.7.1 Deputy A. Breckon:

Can I ask a supplementary on that? Has the Chief Minister seen any accounts that would substantiate any of that?

Senator F.H. Walker:

Yes, Sir, I have.

4.8 Deputy G.P. Southern:

What action, if any, is the Chief Minister considering, either through the Commonwealth Parliamentary Association or through the U.K. Government, to influence the actions of General Musharaff in Pakistan?

Senator F.H. Walker:

This is a very difficult issue for Jersey and it has arisen recently in relation to Burma and also in relation to Zimbabwe. It is a very difficult position for Jersey to take. There was thought, not so very long ago, that I would write to the U.K. Government expressing deep concern about what is happening in Zimbabwe. Having considered it deeply and consulted widely on it, it was considered not necessarily in the best interests of Jersey to involve itself in these ways and although we deplore, I am sure, the actions being taken in a number of countries within the

Commonwealth and elsewhere, we do not consider that it is best tactics - if that is the right way of describing it - for Jersey to seek to involve itself in this way.

4.8.1 Deputy G.P. Southern:

I believe the Chief Minister's answer referred to acting through the U.K. Government. Is he prepared to consider acting through the Commonwealth Parliamentary Association where perhaps we have a little more influence than otherwise?

Senator F.H. Walker:

I think that is a fair question and one which deserves further consideration.

4.9 Deputy J.A. Hilton:

The Council of Ministers considered a report on 26th July in relation to employment of people with disabilities and I did ask the Chief Minister this question a few weeks ago. What I wanted to ask him was that currently, according to the figures given, there are 13 people employed within the States of Jersey, with disabilities. The decision taken by the Council of Ministers that day was that that number should be doubled to 26. Does the Chief Minister think we are taking seriously enough the needs of people with disabilities, regarding employment opportunities, as the Island's largest employer?

Senator F.H. Walker:

I sincerely hope we are and certainly the actions and decisions of the Council of Ministers suggest that we are indeed taking the matter seriously. Whether more can be done is, of course, always an issue and it is something that Deputy Gorst, among others, has been deeply involved in and it is something which I can assure the Deputy and the House, we will continue to monitor and seek to improve at every opportunity. The Deputy is quite right, as the Island's largest employer, we have an obligation to play more than our full part in this respect and I intend that we should do just that.

4.10 Senator L. Norman:

Is the Chief Minister able to say why Guernsey changed their minds about the appointment of a Channel Island Director of Civil Aviation and where that leaves the future of administrative co-operation between the 2 Islands, bearing in mind that the changes of heart are quite regular occurrences?

Senator F.H. Walker:

I cannot inform the House as to why Guernsey changed its mind because I am not aware of the reason that they changed their minds. That, of course, is a matter for them. I agree with the Senator that it is not ideal to have a Director of Civil Aviation for each Island, but that is nevertheless the position we are forced into and one which we will have to live with. I am sure that the respective post-holders will work together very closely to ensure that, in effect, we have Channel Island direction - Channel Island regulation - and that there will be little change, hopefully no noticeable change, from the current position.

4.11 Deputy C.J. Scott Warren:

Can the Chief Minister give Members any further information or update regarding the overseas status for Jersey students and other Channel Island students and whether negotiations with Guernsey are at the level with U.K. on this, and whether it is ongoing?

Senator F.H. Walker:

I am sorry, my hearing is not what it should be. I assume that was about higher education and co-operation with Guernsey? There again, sadly, there has not been all the co-operation with Guernsey that there should have been although there is a joint position, which has been

transmitted and continues to be transmitted, to the U.K. Government about the fees that we are charged for Channel Island students. So the level of co-operation is okay in that respect. It is sad to report at this time, that there has been little sign of movement from the U.K. Government but we do continue to press and my understanding is that Guernsey will continue to press and that there will continue to be joint approach to seeking to resolve this issue.

4.12 Deputy J. Gallichan of St. Mary:

Following on slightly from Deputy Lewis' earlier points, I do understand the situation regarding Protocol 3 and have reluctantly come to accept it, but I wondered whether any investigation had been carried out into the possibility or potential benefits that might accrue from a bilateral agreement with France, for example, along the lines of one that exists between France and Monaco?

Senator F.H. Walker:

Not to best of my knowledge. I am not sure that is possible. I think that we, in this context, will be governed by the terms of Protocol 3 as they apply between Jersey and the whole of the E.U., but it is something I will give further thought to and investigate further.

4.13 Deputy J.B. Fox:

With the increasing progression between Normandy and Brittany in our relations having positive results, and understanding that Paris does control the answer to this question - which is the double taxation which, at the moment, prohibits quite a lot of the exchange of workers to and from the Islands and especially to the Islands - this would result, obviously, in not having to educate or support families as they live so close by and provide a very valuable, experienced workforce. Would the Minister confirm whether he is of the opinion that we should revive our request to Paris in view of our impending immigration policies, to see if we cannot make further progress forward in resolving this longstanding issue?

Senator F.H. Walker:

It is, of course, not a simple issue to address or to overcome and the Deputy is quite right. The answer is indeed for Paris - not for Normandy and Brittany - and discussions with government officials in Paris are continuing on a regular basis in relation to tax and other information and I will ensure that this is taken up with them again.

The Bailiff:

That concludes the period allowed for Questions without notice.