

5. Questions to Ministers without Notice - The Chief Minister

5.1 Deputy J.A. Martin:

In I think the last supplementary question by Deputy Breckon on the Council of Minister's view of Income Support, the Chief Minister, Sir, said that it was the Social Security Minister alone who decided to delay again the Regulations being drafted. So could then the Minister confirm, as there are no formal minutes of the meetings, that all the other Ministers present were very happy with the Income Support briefing they received from Social Security?

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

We were very happy with the briefing we received from Social Security. It was extremely comprehensive and extremely helpful.

5.2 Deputy S.C. Ferguson:

The Scrutiny Panels have undergone a considerable amount of training to ensure they approach Scrutiny in a professional manner. There is also a Code of Practice with regard to the conduct of Scrutiny which will be debated shortly. Given the different approaches taken by Ministers regarding Scrutiny Reports which question policy would the Chief Minister not think that it might be useful for the Council of Ministers to consider drafting their own Code of Practice in regard to receipt of Scrutiny Reports and perhaps in view of his success in dealing with these does he not think that he should get Senator Le Sueur to draft such a document?

Senator F. H. Walker:

I think it is true to say that both Ministers and Scrutiny Panels have different approaches to Scrutiny. There is no common approach either by the Panels or indeed by Ministers. But I do take the point made by the Deputy and I would have no problem at all with a Code of Practice for Ministers. I note that Senator Le Sueur has fled the Chamber. **[Laughter]** Although he does set an excellent example, I agree, I doubt that is a responsibility he would probably wish to take on with everything else he has on his hands at the moment. But I will take the proposition or the idea - the proposal - I will take it seriously.

5.3 Deputy K.C. Lewis:

Further to news that the Jersey Hospice costs over £5,000 per day to run, does the Chief Minister agree with the principle of a no-strings annual grant towards Jersey Hospice Care?

Senator F. H. Walker:

My understanding is that Jersey Hospice have made it clear they do not want States' grants. Jersey Hospice are an extremely successful organisation, extremely successful not just in the amazing level of care they offer to their patients and families but also extremely successful in the way they get volunteers to work for them - of which there are many - and extremely successful also in raising funds. So I see no need for nor do I see any wish for States intervention at this point.

5.4 Deputy S. Pitman:

Could the Chief Minister explain why one member of his Council has prohibited the siting of mobile phone masts on or within close proximity to departmental properties; that is, Sir, schools? Does the Council of Ministers have a consistent policy with regard to this?

Senator F. H. Walker:

This question has been asked and answered on numerous occasions by both the Health Minister and by the Planning Minister whose remit it clearly falls within. I do not believe I can add anything further to statements they have made to this House on numerous occasions.

5.5 Deputy G.P. Southern:

Yes, Sir, in the absence of any minutes of the Council of Ministers meeting at which Income Support was withdrawn and agreed a delay, could the Minister...

Senator F. H. Walker:

On a point of order, that is not what happened but I will allow if I may the Deputy to continue.

Deputy G.P. Southern:

I am sorry if I get it slightly wrong but in the absence of minutes it is to be expected I think. Could the Chief Minister explain on what grounds there were questions raised that should have required the Social Security Minister to agree to bring back, subject to some consideration, his proposals?

Senator F. H. Walker:

The Social Security Minister and his team - as the Scrutiny Panel is well aware - have been refining their proposals for Income Support over a period of many months. The Council of Ministers had a discussion, as I said - a presentation - on the latest thoughts from Social Security. On the back of that discussion the Social Security Minister felt it appropriate to defer the introduction of income support in the full knowledge that the introduction of G.S.T. has been deferred and that, therefore, he had more time available for consultation and further refinement. That to me is good, sound, solid government.

5.5.1 Deputy G.P. Southern:

A supplementary if I may, Sir. The Chief Minister has not answered the question. On what grounds was there a need to revise?

Senator F. H. Walker:

It is not a question of a need to revise. It is a question of refinement and that is what is going on all the time. I really do not know where the Deputy is heading here. What the Social Security Minister is trying to do is to come up with absolutely the best possible Income Support Scheme. It is intensely complex as the Scrutiny Panel will be only too well aware. Trying to get the right balance in the scheme, trying to make sure it meets the needs of everyone whose needs it needs to meet is extraordinarily difficult. The Social Security Minister is doing absolutely the right thing by using the time he has available to ensure that he refines to the best possible extent.

5.6 Deputy P.J.D. Ryan of St. Helier:

Further to, first of all, Deputy Ferguson's question relating to Council of Ministers' Codes of Practice when it comes to dealing with Scrutiny, and then followed to some degree by Deputy Southern's question about lack of minutes of Council of Ministers' Sub-Committees or however they are described, would the Chief Minister confirm that first of all I have written to him via email asking him whether he would be prepared to review the current policy of the Council of Ministers that they do not take minutes at certain meetings? Would he confirm that I have written to him? Would he confirm whether he would be prepared to look at the question when there are full-blown Scrutiny reviews underway whether he would be prepared to consider that under those circumstances minutes are advisable in order to minimise misinformation, conjecture which in turn might lead to distrust, therefore, making the job of Scrutiny that much more difficult? Would he be prepared to take the review of that particular situation on board?

Senator F. H. Walker:

Firstly, I am not aware of the Deputy's letter. I have received a letter from the Deputy inquiring about minutes for the Migration Advisory Group to which I have responded in the positive. I made that clear in an earlier answer this morning. I am not aware of any other letter that the Deputy has written to me so I would perhaps ask him in return for clarification on that point.

Deputy P.J.D. Ryan:

That is the email I was referring to through you, Sir.

Senator F. H. Walker:

In which case, Sir, the proposal has changed as I referred in earlier on, Sir. Minutes will in future be kept.

5.7 Senator J.L. Perchard:

What was the Chief Minister's reaction when his Minister for Economic Development disowned all responsibility for the choice of the Flying Banana? **[Laughter]** Does he feel it would have been more prudent of his Minister for Economic Development to have at least kept quiet on the matter? **[Laughter]**

Senator F. H. Walker:

Keeping the Minister for Economic Development quiet on any matter is one of my perennial struggles. **[Laughter]** I do not recognise what the Senator is asking, Sir. I do not recognise the Flying Banana terminology. But, Sir, the Minister for Economic Development has made it very clear throughout that although he fully supported and continues to support the brand in its generality, he has always had personal reservations about the logo. That has become known and he responded to questions put to him by the media. I was aware that he was going to. I was aware of the answers he was going to give. I am perfectly content with that situation.

5.8 Deputy A.D. Lewis of St. John:

I wonder if the Chief Minister could confirm that in a recent question to him in the States that I asked, he said he had the full support of the finance industry for the said logo and brand. Can he confirm that he still has that as I have been given to understand that Jersey Finance or their members have no intention of using the brand mark in any of their publicity?

Senator F. H. Walker:

I do not think I ever made the claim that we had full support of the finance industry. That would be a difficult claim to make. What I did say was that the working party established, which was comprised partly of finance industry members was supportive. I am not aware of the position that the Deputy has referred to but I will of course establish the truth behind that comment.

5.9 Deputy J.A. Martin:

Sorry to labour the point, but the Chief Minister in his last speech to Deputy Ryan, and this follows on from Deputy Ferguson as well, what a very important piece of work, fundamental changes to our benefit system, it will go on for years, changing years of established welfare system. Now as I said before, Sir, they have had 2 meetings, at least 4 hours each. Now the Chief Minister, Sir... and we will all be very sad to see him go as he said he is going to retire but someone has to live with the consequences of bringing in this new benefit system. Unless we know... and we know that there must have been some heated discussion around these proposals, they have gone back now twice and they have been presented again. All right then if there is no dissent, Sir, will the Minister please rethink his decision on the 22nd and not make it an informal meeting but make it a formal meeting that is minuted so for future reference we know what all the Ministers in place have to say or have opinions of about certain parts about the new benefit system that should be carrying on to the future.

Senator F. H. Walker:

The straight answer to the question is, no, I will not. I believe it is absolutely vital that the Council of Ministers - and I am sure Scrutiny Panels do the same; I know that some do, Deputy - can have informal discussions and can have briefings. That is what we are talking about. We have briefings. As soon as Ministers' opinions are required and as soon as Ministerial Decisions

are taken those will be made available to not just Scrutiny, of course, but to States' Members and the public in the normal way. There is no question of holding anything up here. There is no question of withholding any decisions or opinions. But the importance of having informal discussions and briefings so that Ministers are properly informed cannot be underestimated.

5.9.1 Deputy J.A. Martin:

Sorry, supplementary, Sir. When would discussions become decisions? We do not know that, Sir. We do not know that. And Scrutiny does not have informal meetings because we are not a decision-making body. We never come to the point until we come to... but the Ministers are. We need to know when the discussions... I am being told by Senator Le Main that I need to know. No, Sir, it is the public that need to know. We need to know when the Council are making decisions and if there is anything wrong with the decisions that there is a paper trail for not this House, not even maybe 4 years' time, maybe 10 years' time. Well, who made that decision and who said this is the right way to go? Okay, Sir, the Chief Minister has said he will not change his mind and he will not make the meeting on the 22nd formal. So I presume there will be more discussions and we will not have draft Regulations lodged in the week following that.

Senator F. H. Walker:

Correct, Sir, because the Member has herself made the point equally as well as I could and did earlier that when there are decisions States Members need to know. Exactly right. When there are decisions Members of the States will know as always. If any Minister dissents from that decision, he or she as they always do has the right to have their dissent recorded and if they wish to do so it will be. So I repeat exactly what the Deputy herself has said, Sir. When decisions are taken, minutes are kept and everyone is informed in the proper way. She and I are in more agreement than she realises.

The Bailiff:

I am afraid that concludes the second question period.