

6. Questions to Ministers Without Notice - The Minister for Health and Social Services

The Deputy Bailiff:

We now come to questions for the Minister for Health and Social Services who is malade, and questions are to be answered by the Assistant Minister, Deputy Noel. Deputy Lewis.

6.1 Deputy K.C. Lewis:

It is well known by Members that I have long campaigned against these so-called legal high drugs, Spice and Salvia to name but 2. The Minister has recently put a banning order on these, signed a ministerial order to outlaw these drugs. Is the Minister aware there are several other new so-called legal highs in the pipeline, one called methodrone, not to be confused with methadone, that already has cost the life of one student, I believe, in England? Thank you.

Deputy E.J. Noel of St. Lawrence (Assistant Minister for Health and Social Services - rapporteur):

Since October 2008 it has been illegal according to Jersey Medicines Law, to import or market substances commonly known as “legal highs”. On 23rd November 2009, on the advice of the Jersey Misuse of Drugs Advisory Council, an Order was made by the Health Minister which came into effect making the substances commonly known as “legal highs” illegal in Jersey. That Order was related to the relevant chemical compounds and not the actual individual brand names of the drugs. The substances broadly fall into 3 categories; one are synthetic - excuse my pronunciation - canavoids, these are drugs that mimic the traits of cannabis. There are benzylpiperazine, which is similar to the effects of ecstasy and amphetamines, and caffenoids which again copies amphetamines. The law has been written in a way that we can react quite quickly to new types of pharma-synthetic drugs coming into the marketplace.

6.2 Deputy A.E. Jeune:

It would appear that very little, if anything, has been done following the Rosemary Wool Report 2004 in respect of the healthcare of prisoners. Would the Assistant Minister give an undertaking to look at this report and see whether it remains relevant today, and what action will be taken to either implement some of these recommendations or move forward and reconsider the health care provided to prisoners? Thank you.

Deputy E.J. Noel:

I am happy to confirm that the Minister and indeed the Ministerial team, along with our officers, have a willingness to continue to input into the prison the resources that we have at our disposal and we will strive to develop these services in the future.

6.3 Senator S.C. Ferguson:

Can the Assistant Minister confirm that when the Medical Director of the General Hospital went to London recently to view the interim Verita report he was accompanied by legal counsel at the taxpayers expense, and can the Minister explain why it was necessary to have legal counsel present? Whose interests were being protected - the Director, management, hospital or the patients- and what was the cost to the taxpayer?

Deputy E.J. Noel:

I can take the Senator’s last point first, I do not have those figures available. I can get them and forward them on to her. Indeed, I can confirm that a legal representative was there and that was to ensure that the contents ... the individuals went to the U.K. to start the process of fact-checking the report - the draft report has been produced by Verita - and the purpose of the Law Officer there was to ensure that items disclosed in that document were of a nature that complies with our local legislation.

6.3.1 Senator S.C. Ferguson:

What changes were made to the report and why?

Deputy E.J. Noel:

As far as I am aware, no changes have yet been made to the report. This is in a fact-checking process which takes a period of time and, in any event, Verita themselves hold full editorial right on their own report and neither myself, the Minister or any of the Health and Social Services management can influence the contents of that report.

Deputy A.E. Jeune:

Sir, can I have a further supplementary? No.

The Deputy Bailiff:

Deputy Jeune, it is question time without notice. Deputy Shona Pitman.

6.4 Deputy S. Pitman:

Could the Assistant Minister inform Members as to what moves have been made with regards to developing a package to retain nurses?

Deputy E.J. Noel:

There has been much movement in trying to devise a package so we can have a sustainable recruitment and retention policy for our nursing staff. A draft of this has been forwarded to the States Employment Board and I believe that a revised version of suggested solutions will be coming back from the S.E.B. (States Employment Board) during this current month.

6.4.1 Deputy S. Pitman:

Could you explain what was in that draft package?

Deputy E.J. Noel:

The simple answer to that is, no, I cannot, because I personally have not been party to the drafting of those documents.

6.5 Deputy M. Tadier:

It will be to do with prostate cancer. I have been approached very recently by a constituent, as I am sure is the case for many representatives in the Chamber, again highlighting the apparent discrepancy of the fact that one has to pay to go and see a doctor - often £35 which is a lot of money for some people - and, for example, if you compare it with breast cancer screening that is offered for free at the Hospital, I believe. Does the Assistant Minister acknowledge that this is prohibitively high for some people to pay, that it does put people off from coming forward for testing, and will he be taking any measures to rectify this problem?

Deputy E.J. Noel:

I do have some sympathy with those members of the public who find themselves in the situation where they are put off going to see their G.P. (General Practitioner), for whatever reason, through cost. Members will be aware that we are continually faced with above-inflation increases in the costs of such items as drugs and supplies. Increased investment is always required to maintain our core services and as we look to the future there is no funding available to opening up a screening process for prostate cancer at this time.

6.5.1 Deputy M. Tadier:

It is nice to hear those kind words of concern, but will the Assistant Minister make it more of a priority, given the fact that he has acknowledged that prostate cancer is a killer and that £35 is, if that is the rough figure, too expensive for certain individuals? So, rather than let these people contract cancer and possibly die from this condition, which should not be life-threatening, will

he and his department undertake to set up a proper program of screening which can be attended free for everyone?

Deputy E.J. Noel:

I am not able to give that commitment at this time because we cannot invest in new services without a sustainable funding stream for those services going forward.

6.6 Deputy R.G. Le Hérissier:

Would the Assistant Minister, in referring to the Verita report, would he define what is meant by the legal officer accompanying the Members in order that the report was seen to conform with local legislation?

Deputy E.J. Noel:

The area I was referring to was any matters that could impinge on our Employment Law.

6.6.1 Deputy R.G. Le Hérissier:

Is the Assistant Minister inferring that somehow the Verita people have got their interpretation wrong and there were people on hand to assist our civil servants to put things right?

Deputy E.J. Noel:

No, that certainly is not the case.

The Deputy of St. Martin:

Sir, could I just add on to that question because I think it is very important to ask why ...

The Deputy Bailiff:

Deputy there is an order for asking questions and I will put you at the bottom of the list.

6.7 The Deputy of Grouville:

Can the Assistant Minister confirm if the suspended consultant has been furnished with a copy of the Verita Report?

Deputy E.J. Noel:

The Verita report has been distributed as previously disclosed by the Minister. There are 4 named people who have received copies the report and the consultant is not one of those people.

6.8 Deputy G.P. Southern:

I am trying to hit a question that is not on a sheet prepared in front of him. Would the Assistant Minister inform Members whether the package he talked of earlier in order to retain and recruit nurses, contained a fresh offer either for 2009 pay offer or 2010, or was it only a restructuring package?

Deputy E.J. Noel:

I believe I have already answered that question when I said that I have not been party to the documents produced and so I do not know their contents.

6.8.1 Deputy G.P. Southern:

Will the Assistant Minister return to the House and inform Members whether that draft package contains restructuring or a new pay offer for 2009 and 2010?

Deputy E.J. Noel:

I am happy to confirm my belief that revised package is with S.E.B. and that they will be reporting back to Health and Social Services by the mid-point of this month.

Deputy G.P. Southern:

Is that a yes or a no?

Deputy E.J. Noel:

I do not know the contents of that package and ...

Deputy G.P. Southern:

Will you inform Members?

The Deputy Bailiff:

Deputy, first of all through the Chair. Secondly, would you please ask if you might put a further supplementary? It is usual to have 2 questions, a first question and a supplementary, sometimes a third one, but a fourth one is going too far.

Deputy G.P. Southern:

I apologise for my enthusiasm, but I do believe the point of question time is to obtain some answers sometimes.

The Deputy Bailiff:

Very well, you may now put the question again.

6.8.2 Deputy G.P. Southern:

Will the Minister agree to bring the data in that package to the House?

Deputy E.J. Noel:

I can only agree to bring something back to the House if I will be party to receiving it, so if that information comes into my domain I am quite willing to give an undertaking to distribute that information to this House, but if it does not come into my domain I am afraid that I cannot do so.

6.9 Senator J.L. Perchard:

Will the Assistant Minister give the reason for the delay in making public the Verita report and can he assure Members that the delay in the reports publication, presumably for redaction and modification, will not devalue the report and how it is perceived?

Deputy E.J. Noel:

To answer the Senator's last point first, no alteration to the content of the report will devalue it, whatever that alteration based on facts will be. There have been a number of reasons for the slight delay in publishing the findings of the report. What I would like to ask Members is to respect that Mrs. Rourke was indeed a daughter, a wife and a mother and we have had some consultation with the family and they would prefer that the findings of that report do not come out until after Christmas.

6.9.1 Senator J.L. Perchard:

Sorry, I did not hear the line ... until after? A supplementary if I may? So the reason for the delay in the publication of the Verita report is because the Rourke family have asked for its delay and the Minister did say that no alteration to the report will devalue the report. Does that mean that the report will be altered?

Deputy E.J. Noel:

There are a number of reasons for the delay. The primary reason is that it is still being fact-checked. If that process identifies that some facts are incorrect as currently stated then it is only right that the report is amended accordingly.

6.10 The Deputy of St. Martin:

Maybe on the same line, are we now to believe that there are factual inaccuracies in the report and that is why the conflicted Medical Director has gone to London, as opposed to maybe the independent ... I will not mention ... but there is obviously an independent officer should have gone, not the conflicted Medical Director. He should not have gone to London.

The Deputy Bailiff:

What is the question?

The Deputy of St. Martin:

Will the Assistant Minister agree that the reason for the Medical Director going to London is to correct something which he, the Medical Director, believes to be inaccurate?

Deputy E.J. Noel:

No, the reason why a group of health professional staff went to London was to start the fact-checking process. Until they arrived in London they had not seen the report so they would not have been going there to specifically change individual facts that are within the report.

6.10.1 The Deputy of St. Martin:

Can I just ask the Minister, why was the report not brought to Jersey so people could check it in Jersey, rather than go to the U.K.?

Deputy E.J. Noel:

The decision was made that it would be done outside of the Island, for the sake of transparency, so people could see that there has been no undue influence on the report in the Island.

The Deputy Bailiff:

I would like Members to be aware that the 15 minutes expired at 12.03 p.m. I have allowed an extra couple of minutes because I thought that there were some interruptions in the course of questioning that made it appropriate to do so, but we now come to the last question, Deputy Higgins.

6.11 Deputy M.R. Higgins:

With waiting lists in urology and other medical disciplines being up to a year in duration, what steps are the Assistant Minister and his department taking to eradicate these waiting lists, bearing in mind that some life-threatening conditions are going untreated?

Deputy E.J. Noel:

We are doing everything that we can, within the resources that we have, to ensure that all of our population are treated as swiftly and with due care as they deserve.

6.11.1 Deputy M.R. Higgins:

Does he think a year is reasonable when people have life-threatening conditions, and that is not good enough, the answer he has just given?

Deputy E.J. Noel:

Any undue waiting time is not acceptable and we are doing everything that we can, within the resources that we have, to bring down those waiting list times.

The Deputy Bailiff:

Very well, that brings an end to questions without notice.