

3.3 The Deputy of St. John of the Minister for Economic Development regarding area payments to the agricultural industry:

Is the Minister satisfied that the necessary checks are in place to ensure that area payments to the agricultural industry are not subject to abuse and, what action, if any, would the Minister be able to take towards those who administer this funding and any persons or company found to be taking money under false pretences?

Senator A.J.H. Maclean (The Minister for Economic Development):

I am delighted to invite my Assistant Minister, the Constable of St. Clement, who has responsibility for the agricultural industry.

The Deputy of St. John:

I asked the Minister the question. I made a note at the time that I wanted Ministers - and I have always said it - to answer my question; not an Assistant Minister.

The Greffier of the States (in the Chair):

Well, that is noted but I think on this occasion no doubt the Assistant Minister is briefed to answer.

Connétable L. Norman of St. Clement:

Yes, my understanding is that Members are required to notify the Greffe at the time they place a question if they specifically want the Minister to answer it. I have had no notification of that.

The Greffier of the States (in the Chair):

I think you will have to answer it, Assistant Minister, but we will look into the matter. I do not think it is fair to expect the Minister at short notice to pick up the mantle.

The Connétable of St. Clement (Assistant Minister for Economic Development - rapporteur):

I am sure he would be extremely competent to do so but I am fully briefed. I can say that I am satisfied that the necessary checks were in place, or perhaps I should say I was satisfied until I saw this question which rather intrigues me but perhaps we will find out a bit more. But any persons or company found to be attempting to obtain payment on false pretences would likely be committing a criminal offence and therefore be investigated by the police and subject to the full rigours of the law.

3.3.1 The Deputy of St. John:

Is the Assistant Minister aware of anybody at present, or over the last 12 months, who may have committed one of these offences?

The Connétable of St. Clement:

No, I am not. As far as I am aware there has been no police investigation or prosecution.

3.3.2 Deputy J.A. Martin:

Could the Assistant Minister advise us, compared to the amount of money paid out - and we are always hearing in the House that enforcement officers in Social Security are needed to, i.e. stamp out fraud; they used to be employed under the Housing Department, i.e. to stamp out fraud - how many equivalent enforcement officers are

employed by Economic Development, i.e. to stamp out fraud, in fraudulent claims in the agricultural section?

The Connétable of St. Clement:

The amount paid in the single area of payment is considerably less than benefits paid by Social Security. The amount paid last year in the single area of payment was marginally over £1 million. But checks are in place every year: claimants' field plans are checked that they are being used for what they are said they are going to be used for; fields are checked against Planning and Environment's global information system database which includes the size of the field and what they are going to be used for and the whole scheme is audited by the States of Jersey Internal Audit. Of course, the claimants themselves are fully aware of the terms and conditions of the payment and if they tried to be a little bit naughty or a little bit economical with the truth then penalties are imposed. They would lose their financial benefit, which would not be in their interest, although there have been times when penalties have been imposed.

3.3.3 Deputy R.G. Le Hérissier:

Partly answered; but could the Assistant Minister tell us what are the main areas of possible dishonesty or fraud that his department is looking at continually?

The Connétable of St. Clement:

Well obviously we are always concerned about fraud but quite honestly it is at the very lowest level. Errors made in calculating the size of fields would be the main thing. But as I say this is why they are always checked each year; every claimant. Every claim has to be signed, not only by the claimant themselves, but also by his accountant, so there is a double-check there. There is a reputational danger if someone puts in a false claim or a misleading claim; certainly they will receive penalties and that could go on for a number of years as well or they could indeed lose the ...

3.3.4 Deputy R.G. Le Hérissier:

Are there any spot checks carried out?

The Connétable of St. Clement:

Yes.

3.3.5 Senator A. Breckon:

I wonder if the Assistant Minister could advise the House whether he is aware of an internal audit report done in 2005 which revealed that 2 growers claimed for the same field but different crops at the same time. If not, could he report back to the House and have a look at it?

The Connétable of St. Clement:

I was not involved with the department in the year 2005 and I do not have a copy of that report but I could certainly have a look at it, but we are talking about something which occurred 5 years ago.

3.3.6 The Deputy of St. John:

I am very disappointed in the Assistant Minister not being fully briefed as to what has happened in his department currently and in the past. In the answer he gave to my earlier question that no police investigation is ongoing, that being the case, is an

inquiry within the department ongoing as to anybody receiving area payments that should not be receiving them?

The Connétable of St. Clement:

I am not aware of such an investigation.

The Deputy of St. John:

In future when I ask the questions to be put - and it is recorded in Hansard - that I ask always the Minister. I do not wish to ask an Assistant Minister. I always insist on that when I put my questions into the department.

The Greffier of the States (in the Chair):

Deputy, just to clarify for all Members, Standing Orders require that if you wish the question to be answered by the Minister you must, when submitting it to the Greffier, give that specific notice on every occasion. So if you wish to do that in future, and other Members do that, the Ministers are notified but in the absence of that notification as required by Standing Order 13(3A), the questions can be answered by the Assistant Minister.

The Deputy of St. John:

I accept what you are saying but I always put on the top of my thing: "To be answered by the Minister."

The Greffier of the States (in the Chair):

Yes. You need to specify it specifically, Deputy. Very well, we come now to the next question - number 4 - which Deputy Shona Pitman will ask of the Chief Minister.