

4. Questions to Ministers without Notice - The Deputy Chief Minister

4.1 Deputy P.V.F. Le Claire:

Would the Minister give me some tuition in asking questions?

Senator P.F.C. Ozouf (The Deputy Chief Minister):

I am happy to answer that question the Deputy just asked. I have to say I am not sure how we are going to deal with the debate on the constitution and I speak only in my own capacity and not speaking on behalf of the Chief Minister or the Council of Ministers. I have to say that I think there are some attractions to a written constitution. I think it may well be a solution of setting out a Bill of Rights in relation to the constitution of the States reform. I think it could also be the document that one could put to a referendum within the next 3 years in terms of setting out all sorts of issues. So, notwithstanding the economic issues, I have to say that my initial reading of the constitution idea is that it is possibly something that we should be looking at. I am not sure whether we can commit at this stage to the Deputy's report and proposition but I have been looking at written constitutions for a number of different countries and I am attracted. My early conclusions are it is something that we should look at. It may well be the solution to dealing with a whole range of issues.

4.2 Connétable J. Gallichan of St. Mary:

Further to the recent, shall we say, spirited media interest in a number of decisions taken, can the Deputy Chief Minister state whether he maintains confidence in the Minister for Planning and Environment?

Senator P.F.C. Ozouf:

I thank the Chairman for that question. I have been deeply sorry to see how the Minister for Planning and Environment has, in my view, been unfairly treated in the media. I think that there are 2 problems [**Approbation**] the first is that as a result of some photography, which I think does not give justice to the Portelet scheme, that certainly has been used to portray a scheme which is not completed, which has houses that another committee was responsible for on the top, does not do justice to that. Obviously Islanders have views on modern architecture but I would urge Islanders to defer their judgment on Portelet, and to the *J.E.P. (Jersey Evening Post)*, until it is completed. I think the Minister for Planning and Environment has done a fantastic job in raising the quality of architecture in Jersey in a way that nobody has done in recent decades. I drive around the Island and see ... I came out of St. Ouen Parish Hall and saw a fantastic granite development outside of that, which I have no doubt that the Minister for Planning and Environment was responsible for. He has lifted architectural standards in Jersey and I think he deserves this Assembly's continued approval for what he is doing. It is a difficult job. There is one issue which has happened, he has been the subject of some personal unacceptable phone calls to him that have affected his family [**Approbation**] and we should send out a message that this is not acceptable in Jersey. No individual standing for public office should suffer the kind of abuse that he has in recent days and I take this opportunity of condemning that but giving him my full support in the work that he does.

4.3 Deputy A.E. Dupré of St. Clement:

Would the Deputy Chief Minister agree that the boat show was a huge success and does he think this shows the importance of such diverse events as the marathon, the Branchage Film Festival, the air display and, of course, the Battle of Flowers?

Senator P.F.C. Ozouf:

I completely agree with the Deputy, the boat show was a spectacular success in terms of good for commerce, good for Islanders and good for visitors. All people concerned, including the sponsorship of Barclays Wealth, should be thanked for that. Yes, events are part of our calendar, they are good for the Island and they are good for tourism and I do not know whether the Deputy

is asking for specific money for a new event that she has in mind but certainly she can come and ask.

4.4 The Deputy of St. Martin:

The Senator has recently overseen a serious complaint made against a senior civil servant, will the Minister inform Members whether the investigator into the complaint interviewed the former Police Chief Officer and the Q.C. (Queen's Counsel) who investigated the circumstances into the Police Chief's suspension? If they were not interviewed, will he explain why?

Senator P.F.C. Ozouf:

I did discharge those functions because the Chief Minister asked me to and an independent investigator was appointed. He carried out the review. These are not matters which should be ventilated into the public domain. The Deputy of St. Martin made a number of allegations and they were not upheld but unfortunately he continues on this line of questioning in relation to various matters in relation to this. I looked at this issue and as far as I am concerned that matter, which I do not think it is appropriate that we talk about in the public domain, is now closed after a satisfactory independent review.

4.4.1 The Deputy of St. Martin:

I ask the question I asked be answered: were these 2 gentlemen interviewed?

Senator P.F.C. Ozouf:

No, and I do not believe it was relevant. The independent review was made. But they are not relevant, the Deputy continues to make comments and casts aspersions on people and individuals and I hope that we have drawn a line under those issues in a way that we should have closure. We need to move on and stop attacking individuals who are discharging public office and have done so properly. **[Approbation]** This issue was basically thrown out.

4.5 Deputy R.G. Le Hérissier:

Notwithstanding the announcement to be made about possible local appointment to the Chief Executive position, would the Deputy Chief Minister not acknowledge that the policy of allegedly promoting local appointments has proved to be hollow and non-existent?

Senator P.F.C. Ozouf:

Yes, I think we need to do more. I am not a Jersey nationalist that believes that only people from Jersey need to be involved in senior positions, but I will say 2 things. The experience that this Assembly has had in dealing with issues like the Deputy of St. Martin has done, I wonder why individuals would want to serve in senior positions. We have seen numerous individuals serving with distinction, to the best of their ability. People do not always get everything right, but then they have had the fear of being targeted in public in a way that is not good for the public sector and is not good for the Island. So we have failed but one of the reasons we have failed is that the States of Jersey has not been a very happy place to discharge senior responsibility for. My own view is that Jersey success is built from a fusing of imported talent and local talent and we need that in the highest echelons of the Civil Service just as we need everywhere else in Jersey.

4.5.1 Deputy R.G. Le Hérissier:

Supplementary. Would the Minister acknowledge that the balance is right?

Senator P.F.C. Ozouf:

The other issue is that because of the success of the financial services industry many young people aspire to working in the more remunerative areas of the private sector. This Assembly's interest in salaries... I understand people need to be paid appropriately and performance managed properly, but the attraction now of working in the public sector... why would you when

all of your information is put into the public domain, you run the risk of getting accused of all sorts of things in the public domain in our, frankly, unacceptable areas of some political debate. We have to be careful because we are not going to be the kind of place that attracts high-performing, high-calibre individuals, but remuneration should be fair and it should be worked for in terms of high salaries.

4.6 Deputy M. Tadier:

Will the Deputy Chief Minister take on board the words of wisdom, first of all this morning from the Minister for Social Security that ideally maternity legislation should be brought forward in conjunction with discrimination legislation, in particular sex discrimination legislation, and the previous comments of the Minister for Home Affairs which said that discrimination laws should best sit with the Chief Minister's Department, who perhaps have better resources to bring this forward? If so, will he give an undertaking that the Chief Minister's Department will bring forward at least the sex discrimination part of the law this year before the elections?

Senator P.F.C. Ozouf:

I met with Ministerial colleagues at the Childcare Trust in relation to matters of maternity and paternity rights, and I congratulate the Minister for Social Security who has brought forward matters. Yes, we need to do more in this whole area. As far as discrimination is concerned, this was championed by former Senator Kinnard in Home Affairs and that has remained in Home Affairs. My own view is that we have had difficulties in our public finances in the last few years and some issues have had to be put on the back-burner because we have been dealing with economic issues. I will look again at the issue of discrimination legislation and the progress of that, and we need to talk about that at the Council of Ministers. But discrimination legislation is the backstop. What you need is education and an Island community that will abhor the kind of discrimination that Senator Cohen has had to deal with, and I have had to deal with on some occasions in terms of that issue. Discrimination legislation is the backstop. There is a lot to do to say that it is unacceptable as a society before we do that.

4.7 Deputy M. Tadier:

Is that in the same way that murder is a backstop; a legislation for murder and for thieving and for other undesirable behaviours in a society, and that we do not need this kind of legislation? Does the Minister accept that these 2 go hand-in-hand and in order to change behaviour, especially in the minority, which the offensive minority legislation is required, and it is a 2-way system that we need both legislation and social pressure in order to show is desirable behaviour in society?

[11:45]

Senator P.F.C. Ozouf:

I accept that legislation is a backstop and we are going to need it in terms of discrimination. But there is a lot of education and awareness-raising that you do. It is better to stop the problem happening rather than dealing with the consequences of it. It is not the same as murder but I take the Deputy's point.

4.8 The Deputy of St. John:

Is the Minister aware that both boat hoists were disabled over the boat show and this sent out the wrong message to the exhibitors and the public alike, with both hoists having mechanical problems? One hoist being out of action for over a month and the other one for days prior to the boat show. This created problems for exhibitors getting their crafts back in the water yesterday to leave on the boat last evening, and the like. Will he see to it that both Ministries - the Harbours and T.T.S. - work much closer together in future to make sure this type of thing cannot happen again?

Senator P.F.C. Ozouf:

I was not aware of it but I will draw the matters the Deputy has raised to the appropriate Ministers.

4.9 Deputy R.G. Le Hérissier:

Would the Minister not acknowledge that the Royal Wedding celebrations went off very well on the Island and the alarmist fears propounded by the Minister for Home Affairs of 36 hour continuous drinking binge sessions were totally unfounded?

Senator P.F.C. Ozouf:

The Island celebrated the Royal Wedding appropriately. I saw flags and general support for the Royal Wedding couple across the island. It was a great day, people enjoyed it with street parties, *et cetera*, and the Deputy knows what my position was on that. I did not agree with my good friend the Minister for Home Affairs, I did not think there were problems. That does not lead me to the conclusion that we need 24-hour drinking legislation permanently or 1.00 a.m. pubs that we do need to liberalise. No, I am not a prohibitionist and I believe that people had appropriate fun and there was not lawlessness and all the rest of it on the streets of St. Helier. So I think this Assembly in the majority was right.

4.10 The Deputy of St. Martin:

Will the Deputy Chief Minister inform Members whether the Chief Minister or indeed the Council of Ministers have explained why they have not yet consulted with States Members, the Care Leavers Association and those other bodies who have an interest in the Haut de la Garenne, or indeed the historic abuse inquiry with a view to discussing the terms of reference and a composition of the Committee of Inquiry.

Senator P.F.C. Ozouf:

The matter is before the Council of Ministers on Thursday and there will be an appropriate communication with those people that need to be properly consulted immediately after the Council's meeting on Thursday, or shortly thereafter.

4.10.1 The Deputy of St. Martin:

At the moment I have not been informed, can I ask whether any other States Members are going to be invited to be consulted?

Senator P.F.C. Ozouf:

The Council of Ministers is meeting ... I have just received my papers this morning myself and the Chief Minister will no doubt ensure that there is appropriate communication with all those people that there needs to be.

4.11 Deputy G.P. Southern:

What response does the Minister have to the Chairman of the Jersey Community Relations Trust and other who suggest that the proposed maternity leave regulations are inadequate and shameful, and does he not accept that the key element is the absence of any paid leave, and that in the absence of paid leave very few women on this Island can afford to give up their work for 16 weeks unpaid?

Senator P.F.C. Ozouf:

The Minister for Social Security has ... there is 2 weeks paid leave, there are a number of organisations ... having just become an uncle, I am pleased to say, over the weekend **[Approbation]** I am more aware of these issues because I have learnt about issues in terms of maternity pay and all of the rights, *et cetera*. I learnt all the social security arrangements where a young mother gets an upfront payment and she gets a payment, irrespective of income, in terms

of maternity pay of, I think, £179 a week. I am certainly more informed of these issues. Do we need to do more in terms of maternity care? Yes, we do. This is the first step but there will be more in terms of parental rights and maternity rights in the longer term.

The Deputy Bailiff:

That brings an end to the second questions without notice period to the Deputy Chief Minister.