

6. Questions to Ministers without notice - The Chief Minister

The Bailiff:

Very well that brings questions to the Minister for Treasury and Resources to an end so we move now to questions to the Chief Minister.

6.1 Deputy T.M. Pitman:

Having been on P.P.C. it was quite clear to us that the only hope of the independent Electoral Commission coming up with a positive way forward was by that independence remaining sacrosanct. Can the Chief Minister advise whether he remains committed to the independence as he was in the lead-up to his election or is he going to renege on that commitment?

Senator I.J. Gorst (The Chief Minister):

I do believe that an Electoral Commission is the way forward. I have also said that I believe that perhaps the best way of ensuring that that Commission understands the local context, which has been the problem that we have had going forward, is to appoint a chairman from this Assembly. I will be consulting with P.P.C. and appearing before them and proposing that my Assistant Minister is the person to chair that Commission. I recognise that not every Member will agree with me but I believe that one of the reasons that we have not been able to move forward on this issue is that we have simply used outside experts who have not understood the local context. The Commission needs to have a strong chairman that is able to drive forward change. We have a window of opportunity here in the next 3 years and unless we grasp it and that Commission is strong, then I fear that we may fail again and that is not an option which I wish to contemplate.

6.1.1 Deputy T.M. Pitman:

I am almost lost for words. Could the Chief Minister tell us what part of “independent” he does not understand with 20 years we have been struggling? The main issue is because there are vested interests. There are many people who feel very strongly on this issue. How does he hope to bring this forward by appointing it to one man with strong views like many of us have? It surely will not work.

Senator I.J. Gorst:

It will not be my decision. It would be a proposal which the States will have to agree upon and that is absolutely right and proper, and that Commission will then bring forward proposals and terms of reference which this Assembly should agree upon. That is the structure that we have in place. We say that perhaps the argument that we will have at that point is whether we should have outside independence on that Commission. If we look to history, we see that that is exactly what happened with the Clothier Review and we picked and chose the bits of that which we liked and those bits which we did not like and we are where we are today. We cannot allow this to carry on in my opinion.

6.2 Deputy G.P. Southern:

Has the Chief Minister in his busy schedule had time to note the latest report of the O.E.C.D. (Organisation for Economic Co-operation and Development) on growing income inequalities, especially in the English-speaking countries? Does he believe that that conclusion applies to Jersey and what will he do in his new Strategic Plan to create a more equal society here?

Senator I.J. Gorst:

I have not and therefore cannot comment as to whether its findings relate to our community. As the Deputy knows, we are at the early stages of formulating a Strategic Plan. I believe quite clearly that that Strategic Plan needs to have social issues and concerns at its heart, and I have also already said that our top priority should be employment, housing, reform of the public service, reform of the health service. These are issues which affect us all and go some way to

helping us to deliver a more equal society where everyone can feel that they have confidence in the future and a belief in their part in our future community.

6.3 Deputy J.A.N. Le Fondré of St. Lawrence:

Given that we have a debate on the Esplanade Quarter later on in the week, could the Chief Minister confirm that the 2008 King Sturge Report which forms part of the Trowers & Hamlin Report on the Esplanade Quarter states that the scheme, which for the benefit of Members is the one that has been endorsed by this Assembly, will result in a negative sum of £50 million - i.e., will lose £50 million - and will he undertake to release unabridged that report, particularly the King Sturge element to States Members?

Senator I.J. Gorst:

I have fulfilled other functions in this Assembly and Government prior to the one I am in now. The report that the Deputy refers to, as I understand it, was a report to the then Minister for Treasury and Resources and therefore remains, I believe, a report to the Minister for Treasury and Resources and is not within my authority to release or not. So the release of that report or the reviewing of that report was by necessity, because of the confidential commercial information contained therein, required confidentiality agreements to be signed and therefore I am not in a position at this point to confirm or deny that. However, I have been on record on what my personal opinion might be around the Waterfront.

[12:00]

6.4 Deputy R.G. Le Hérissier:

In the spirit of the openness and the going where no man has dared to go before, would the Chief Minister be prepared to look at the whole issue of the common travel area and the implications it has for Jersey's immigration policy?

Senator I.J. Gorst:

It is very difficult for a small community to go it alone and say that it no longer wishes to have the relationship that it has with that large community. The previous Council of Ministers - I think it was the previous Chief Minister - did a piece of work along those lines. I am in no doubt whatsoever that we will have to review and reconsider our policy around population levels and the ability of people to reside and take employment within our community, but most likely that will be within the context that currently exists. We need to consider whether the mechanisms we have got now are appropriate or whether we need further mechanisms which will strengthen our community and allow us to manage those influxes in a more perhaps real time and appropriate way. But I do not think that the best way forward would be for us to remove ourselves from those larger agreements and those larger relationships.

6.4.1 Deputy R.G. Le Hérissier:

Would the Chief Minister not accept that one of the abiding grievances people have is this unfortunate anomaly of people who have the stamp in the passport which, of course, flows from the agreements. Is there any way the Chief Minister can see that we can reintroduce some equality into the situation?

Senator I.J. Gorst:

As the Deputy knows, this was an agreement reached many years ago and has served our community well. There are some individuals who find that stamp in their passport can be a difficulty but there are many others who quite freely work within the European Union once they have got the appropriate sanction from the country in which they wish to work so it can be overcome. We must be careful what we ask for because it may indeed be that were we to open the door and try to renegotiate such agreements, we would find ourselves in a worse position

from an equality perspective than we are now and therefore we should only consider such options, I would suggest, as a last resort. But that does not mean that I do not stand by what I said earlier with regard to the mechanisms that we have for controlling the ability of people to come and live here and work here.

6.5 Deputy J.A. Hilton:

States Members attended a strategic planning workshop yesterday. Unfortunately, I had to leave early to deal with important constituency matters but I would like to know whether there was any discussion within the Chief Minister's 5 priorities for an equitable tax system for all, which I mentioned in discussion on our table. Can the Chief Minister inform Members how highly he rates a fairer tax system for the personal taxpayers of this Island?

Senator I.J. Gorst:

As has been asked by other questioners this morning, I am not sure that we spent a great deal of time discussing that yesterday because it was a very early stage. I think that most Members would in principle like to see and be in favour of an equitable tax system. We are aware of international requirements to which we wish to comply, which have required us to change our taxation system on the corporate level and that by necessity has transferred the burden to individuals. The Treasury Department have agreed to undertake a review of that but we must at this point wait until we have the approval of Ecofin to our Zero/Ten system and once that approval is formally in place, then of course we must consider carefully looking at mechanisms whereby we can perhaps extend that or develop mechanisms alongside to generate more tax revenues from corporations.

6.6 Deputy S. Pitman:

Will the Chief Minister give an indication as to when the terms of reference for the Committee of Inquiry into historic abuse can be expected to come back to the Assembly?

Senator I.J. Gorst:

I am not sure whether the Deputy was asking for a timescale or whether it can be expected to come back. With regard to committees of inquiry, it is my understanding that those terms of reference do have to come back to the Assembly for approval and I have undertaken to do that. It is a priority for the Council of Ministers. Further work is being undertaken on those terms of reference from the body, which was initially requested to provide them. They are an independent body and as soon as they are ready then they will be brought forward to the Assembly.

6.7 Deputy S. Pitman:

Is that when the terms of reference will be brought back to the States? When is the Chief Minister expecting that?

Senator I.J. Gorst:

As I just suggested, as soon as they are ready. I understand that that, I hope, will be within the first quarter of 2012 but I cannot give a firm confirmation of that.

6.8 Deputy M.R. Higgins:

The previous Chief Minister began the process for bringing in legislation similar to the United Kingdom to regulate so-called "Vulture Funds". Will the Chief Minister be continuing this process and, if so, will he give details as to when he intends to bring forward this legislation?

Senator I.J. Gorst:

Yes, I share with the previous Chief Minister a desire to close this particular loophole. The consultation process, which the previous Chief Minister instigated, comes to a close on 8th

December. I will then consider that consultation and bring forward appropriate legislation as quickly as possible.

6.9 The Connétable of St. Helier:

With the smell of wholesome soup wafting into the Chamber from the Royal Square [Laughter] will the Chief Minister join me in congratulating the organisers of the soup kitchen and also commend the work done by the Shelter Trust, the Salvation Army, the Grace Trust and the staff and volunteers of the States and Parish agencies who assist the homeless, particularly at this time of year? [Approbation]

Senator I.J. Gorst:

Indeed I will and I am grateful to the Connétable for mentioning those organisations that do invaluable work on behalf of our community and we owe them our thanks as Government. I believe that we deal with the issues facing our community when we work hand in hand with the third sector and with the not-for-profit sector so that we can solve the problems that our community faces. One of my most enjoyable visits as Minister for Social Security- and it might sound strange - was indeed visiting the shelter and seeing the fantastic work that they undertake and they have my wholehearted support and thanks for that work.

6.10 Deputy M. Tadier:

Returning to the subject of the Electoral Commission, does the Chief Minister not agree that it would be preferable that it be chaired by somebody who is seen to be impartial, who does not have any publicly stated and predetermined views on what the outcome should be so that the actual process can be one that is credible?

Senator I.J. Gorst:

I believe that should the Assembly agree with what my proposal will be, that Senator Bailhache should chair that Commission, that will be part of the debate that we have when deciding whether Senator Bailhache is the appropriate person. But he like all of us is able to put aside our personal opinion in the best interests of the community at large and I have no doubt that that is exactly the attitude that he would bring to such a role.