

4. Questions to Ministers without notice - The Chief Minister

The Bailiff:

Very well. That brings questions to the Minister for Housing to an end. So we come to the second period, which is questions to the Chief Minister. Deputy Trevor Pitman?

4.1 Deputy T.M. Pitman:

I thank the Chief Minister for his answer regarding payments outside of contract with early termination of contract; £255,000 shared between 6 people. Could the Chief Minister clarify how these payments are agreed and under what format?

Senator T.A. Le Sueur (The Chief Minister):

The Deputy is talking about individual cases. The general policies are laid down by whatever is in the contractual arrangements or by what it states in Employment Board policy. There is, for example, a policy on voluntary early retirement and other matters such as that. Departments follow that policy and would have to notify and get acceptance from the States Employment Board for the exceptions to that policy.

4.1.1 Deputy T.M. Pitman:

Supplementary, Sir? Could the Chief Minister just clarify whether that £255,000 includes any chief officers of departments, please?

Senator T.A. Le Sueur:

I do not believe it does, but I cannot be certain.

4.2 The Deputy of St. Martin:

Yesterday there was a joint media statement by the Chief of the States Police and Her Majesty's Attorney General of Jersey. I will just read the first paragraph: "We are very pleased that a certain gentleman and 5 other men who conspired to smuggle cannabis with a street value of more than £1 million into Jersey are to remain in prison and serve out their sentences for their crimes." Is the Chief Minister also pleased with that news and will he be making that fact known, maybe in writing to the States Police and to the Attorney General?

Senator T.A. Le Sueur:

I am sure we are all pleased to know that the appeal was unsuccessful and that justice has been done and been seen to be done. I can certainly make those feelings known to the police and the Attorney General, but I do not believe that would be necessary. I believe they are perfectly well aware of the situation.

4.3 Senator J.L. Perchard:

On 12th October last year the Minister for Planning and Environment advised the Assembly that the Chief Minister had referred to the police for investigation allegations made by a Member of the States of historical planning corruption on a grand scale.

[11:45]

Therefore, as nearly 6 months have passed since the allegation was made and nearly 6 months since the referral, is the Chief Minister able to provide an update on the investigation or at least advise Members if the inquiry is ongoing?

Senator T.A. Le Sueur:

I share the concerns of the Senator that some of these investigations seem to take an inordinate length of time and do not seem to show much sign of progress. All I can say in this particular

case is that I am aware that the matter is still ongoing. I do not have an update, because I do not get an update from the police until their inquiries are complete.

4.3.1 Senator J.L. Perchard:

Just a supplementary if I may? Will the Chief Minister agree to make a statement to the House once the investigation has been concluded?

Senator T.A. Le Sueur:

If it is possible to do so within the confines of legal requirements I will do so. If, of course, any such conclusion is linked to possible prosecution then it would not be possible to make a statement until such time as the matter has been resolved.

4.4 Senator F. du H. Le Gresley:

Could the Chief Minister provide Members with an update on progress with drawing-up terms of reference for a Committee of Inquiry to investigate historical child abuse?

Senator T.A. Le Sueur:

I am pleased to do that. I have been discussing that with officers. We have been engaged in trying to draw-up terms of reference. I am hopeful that those can be drafted next week in order that I can discuss them with Senator Le Gresley and other people who are interested before finalising them and bringing them back to the House for approval, together with the ongoing details of how that might be implemented.

4.4.1 Senator F. du H. Le Gresley:

Could I have just a supplementary on that, Sir? Could the Chief Minister confirm that he has had discussions with the Minister for Treasury and Resources and identified a source of funding for the Committee of Inquiry?

Senator T.A. Le Sueur:

The matter of funding for this Committee of Inquiry is a matter of concern to myself, the Minister for Treasury and Resources and, I believe, the Public Health Committee. The proposition in its original form indicated a cost of £500,000 and it was that proposition which the States agreed to. I have very grave doubts that the review could be properly carried out for a sum of that nature. One of the aspects which you have to consider in terms of reference is the financial implications of that. I think we have 2 clear messages from the States. Unfortunately they conflict with one another. We want a wide-ranging inquiry, but we also do not want to incur the costs. We have to try and resolve that decision, of course, with discussion on the terms of reference.

4.5 The Deputy of St. John:

Firstly, can I give the condolences to the French family who lost somebody in the accident with Condor yesterday? [**Approbation**] Given the accident yesterday, can the Minister update the House exactly where the accident happened, whether it was in Jersey territorial waters, international waters or French waters? If in Jersey waters, it has been reported that the investigation can be undertaken by the French. If that is the case, can he give the reasons why, please?

Senator T.A. Le Sueur:

The accident took place in French waters. It will be investigated by the French authorities in conjunction with the Bermudan authorities, because the boat is a Bermuda-registered boat and with the assistance of the Jersey Police. I would add my condolences. I would reiterate that expressed by the Deputy of St. John and also add that this gave a good example of the way in which the Channel Islands Coastguard is working extremely well with the French authorities and

the U.K. authorities in maritime activities. It is unfortunate that the co-operation had to be put to the test in this sort of way, but I am very pleased that it was very well co-ordinated between the different parties concerned.

4.5.1 The Deputy of St. John:

Will the Minister instruct the Minister with responsibility for harbours and airport to bring a statement to the House in due course on the incident, please?

Senator T.A. Le Sueur:

I think it is going to be a matter for the Minister concerned to decide whether there is information of relevance to bring to the States in due course. The matter has been widely reported and indeed a media release has been issued by the appropriate authorities. If there is anything useful that can be added by a Ministerial Statement I am sure the Minister concerned will do that.

The Deputy of St. John:

On a point of interest for the Minister, some of the statements that were issued yesterday are not correct and they need to be correct if the department is making statements to the media. Therefore, that is why I am asking if a statement could be made in the House. Thank you.

4.6 Deputy G.P. Southern:

The Chief Minister was reported in a Scrutiny Panel as stating that the existence of income support as a safety net may discourage people from saving. Does the Chief Minister not accept that the disincentive to save is created by the punitive 20 per cent deemed interest that is supposed to be obtained from any savings in income support?

Senator T.A. Le Sueur:

I was not addressing the Scrutiny Panel in terms of income support specifically so much as the need to encourage savings generally. In that context, I pointed out a variety of reasons why it is less likely that savings are occurring to such an extent at the current time, including the unfavourable interest rates and rates received on investments, but also the effect that a benefit system may, in some cases, discourage savings.

4.6.1 Deputy G.P. Southern:

Supplementary, Sir? Does the Minister accept that a 20 per cent rate on deemed income from savings is punitive and would discourage the elderly from saving?

Senator T.A. Le Sueur:

No. One has to look at the whole system. The Deputy quotes one figure in isolation. He needs to look at the whole arrangement; matters such as the disregards and other interplays with other benefits before making statements of that nature.

4.7 Deputy M.R. Higgins:

Following on from the Deputy of St. Martin's question and the Chief Minister's response, does the Chief Minister believe that so far as police investigations are concerned, or generally, that the ends justify the means?

Senator T.A. Le Sueur:

I believe that the police are not above the law. I am sure that the Minister for Home Affairs will be ensuring that the inquiry currently being carried out by an independent group is clearly seen through and the outcomes implemented.

4.8 Deputy A.E. Jeune:

Would the Chief Minister advise, please, whether there is something, for example a clause, in States' policies which excludes information related to clinical staff being provided when questions are asked of such positions, for example question 18 of the written questions today excludes information related to clinical staff who may be employed under interim agency or any other such type? Thank you.

Senator T.A. Le Sueur:

I am reluctant to answer a question like that with any degree of categorical nature because it is outside my immediate sphere of knowledge. I can look into this and respond to the Deputy if she would like to give me a written or an oral question. I cannot at this stage immediately look at the answer and give any such advice to her which I could justify.

4.9 Deputy J.A. Martin:

From what I can only describe as the debacle of the States of Jersey Development Company last week, can the Chief Minister, in particular, assure the House when he is telling us that a proposition is completely time sensitive that he is absolutely sure. In hindsight, would he not have been better to adjourn for 2 weeks and he would not be in the predicament that he is in today? Thank you.

Senator T.A. Le Sueur:

We all make decisions in this House on the basis of what we believe to be the right thing to do. I do not think I would change the way I act. I am not particularly happy with the situation, but we are where we are.

4.9.1 Deputy J.A. Martin:

Sorry, the question was about the accuracy of the ... the Chief Minister told us 2 weeks ago it was absolutely time sensitive that it had to be debated and then we all got an email to say he had it wrong. Now I do not know who was advising him, but will he look into it and make sure that they do not make such statements again?

Senator T.A. Le Sueur:

I apologised at the time or as soon as I realised that that statement was wrong. I did make the apology. I do not believe that was the crux of the issue which caused the confusion. It was, in my view - and it is in my view - important that the new arrangements for S.o.J.D.C. are implemented as soon as possible, because we are all for some time of the view that the current arrangements are unsatisfactory.

4.10 The Deputy of St. Mary:

Can I take the Chief Minister back to the Committee of Inquiry? He mentioned the terms of reference several times in his reply to Senator Le Gresley, but he did not refer to the form the inquiry might take. Can the Chief Minister confirm that all ways of carrying out the necessary work are being fully looked at? Can he also tell Members what has been done to involve all stakeholders in this process?

Senator T.A. Le Sueur:

I agree that as well as the terms of reference we will need to look at the form the inquiry might take. I do believe, however, it is important to establish the terms of reference first, because that will determine to some extent the form that the inquiry will take. I am well aware of the need to obtain the views of a wide variety of people, including those who have suffered abuse during that situation and recognising that they come from a variety of sources and are not represented by a single body, that would be one matter which we will need to discuss with the other States Members in how that can best be achieved to give a balanced outcome.

4.11 Deputy P.V.F. Le Claire:

I am sure the Chief Minister and all Members will join with me in commending your message of condolence and sympathy to the people of Japan last week. In regards to that, and not wishing to detract from it, there are some concerns about the management of this ongoing disaster in terms of how it is affecting not only products but also people that have left the country and are entering into other countries that are radioactive. Would the Chief Minister undertake to conduct a report to present to Members, so the public can have their fears allayed in regards to incidents that might occur or may involve these sorts of issues and people in Jersey? Because Flamanville certainly is within the same sort of distance as Tokushima was to the people that have been evacuated.

Senator T.A. Le Sueur:

I appreciate the concerns which the Deputy has expressed, and which I know other people also share. I can advise the Deputy that there are ongoing monitoring arrangements in Jersey and the other Channel Islands with a body called Rimnet, which is a radioactivity monitoring network. They do have an ongoing programme constantly monitoring the levels of radioactivity for that sort of thing.

The Bailiff:

I am afraid that brings questions to the Chief Minister to an end.