

4. Questions to Ministers without notice - The Chief Minister

The Bailiff:

Very well, that brings questions to the Minister for Social Security to an end and we now move to questions to the Chief Minister.

4.1 Deputy M. Tadier:

The Chief Minister will be aware that the Jersey Care Leavers among others have been asking for Mr. Marsden from Verita to be brought over to Jersey to present his report and for Verita to be given an equal platform to Mr. Williamson and his report. The Chief Minister is also aware that Mr. Marsden has expressed his willingness to come over to Jersey. Will the Chief Minister now formally invite Mr. Marsden to come to Jersey to talk to States Members, to present his report and his terms of reference and explain why he has put them in there; and if not will the Chief Minister explain why not?

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

I said some weeks ago prior to the presentation by Mr. Williamson that I would consider it. I am considering obviously now the way forward with regard to a proposition for the States to support the Committee of Inquiry. I have not yet made a decision in that regard.

4.1.1 Deputy M. Tadier:

I am at the point of lodging a proposition asking the Chief Minister to bring Mr. Marsden over so that States Members can have the full benefit of his input as well as Mr. Williamson's. In order to save perhaps myself and the Greffier and the Assembly a lot of time, would the Chief Minister simply, for the sake of fairness, give Mr. Marsden and States Members the same access to information and the same platform that Mr. Williamson has had so that States Members can make an informed decision before he lodges his proposition with suggested terms of reference.

Senator I.J. Gorst:

If the Deputy is in the process of doing that then obviously I will consider that as well and I will speak to him after this meeting.

4.2 Deputy J.M. Maçon:

In that case is the Minister able to inform the Assembly in his own mind what deadline he is working to in order to lodge the Committee of Inquiry, given the length of this particular issue?

Senator I.J. Gorst:

The Deputy will be aware that an individual has made contact with me and copied all States Members and I am in the process of replying to that to request a meeting, so I want that to take place, but I am giving myself the next fortnight after which I hope to be in a position to lodge.

4.3 Deputy G.P. Southern:

Does the Chief Minister not consider that his Minister for Transport and Technical Services has abandoned T.U.P.E. (Transfer of Undertakings (Protection of Employment)) principles in his handling of the change of the bus operator when he states that: "Despite the hindrance of the previous staff transfer we must not allow the same political involvement to stifle a contractor again"?

Senator I.J. Gorst:

I do not think that any Member of this Assembly would condone an unofficial strike that we now are seeing the second day of and I do not either. The Minister of Transport and Technical Services - and I am nervous about making this statement because I know where it leads - has my support. I believe that he is working well and he has endeavoured to deliver the best possible future bus service for this community. I believe that if there are concerns those concerns should be addressed around the table and I hope that all parties in very early course will be able to get back around the table and discuss where the difficulties are and a way forward through them.

4.3.1 Deputy G.P. Southern:

Nonetheless, does the Chief Minister consider that terms and conditions and staff transfer have not been achieved in this particular changeover?

Senator I.J. Gorst:

We are in the middle of discussions and those discussions should be allowed to take place. I do not want to go into a technical answer about terms and conditions at this point; the best thing is not for me to be politically involved but to allow the Minister to get on and continue on the course which he has set himself and that is to deliver a better and more comprehensive bus service for this community. I hope that Members of this Assembly will support him.

Deputy G.P. Southern:

And creating a strike.

4.4 The Connétable of St. John:

Is the Minister happy that much time has been spent at party conferences by Ministers of all 3 parties and who picks up the bills for the transport and hotels, *et cetera*; is it the public?

Senator I.J. Gorst:

We cannot have improved and enhanced international engagement and conversations with U.K. political parties and government, which Members of this Assembly have criticised previous Chief Ministers and Ministers, without Ministers leaving this fair isle and having to visit other places. That is the purpose of visits to the U.K. political conferences.

[12:00]

I know that even now Senator Routier is having a very productive visit to the Conservatives, I had such to the Labour Party conference, and Senator Bailhache did to the Liberal Democrats. It is the right thing to do, it is getting the Jersey message out, it is helping people to understand our constitutional relationship, it is helping people to understand our economy and the benefit that we provide to the United Kingdom and across Europe, it is the right thing to do. The Deputy well knows that it is paid for out of departmental budgets and those budgets come via the taxpayer.

4.4.1 The Connétable of St. John:

Does the Minister not realise that he and his colleagues are being used by the U.K. and have their brains picked, we saw what happened to L.V.C.R. (Low Value Consignment Relief), *et cetera*, and does he not understand that we are sometimes too forward in giving his colleagues and our colleagues in the U.K. information that should be held closer to our chest here?

Senator I.J. Gorst:

I do not. I believe in positive engagement. I believe in building consensus, despite the fact that has been referred to this morning as cowardly. It is absolutely the right thing to do. We have a good relationship with the United Kingdom Government, we need to continue to build that and not just with the present Government but with all political parties.

The Connétable of St. John:

You are happy that they rape the Island?

The Bailiff:

You have asked 2 questions.

Senator I.J. Gorst:

I am sorry, what was that question? I think it needs to be addressed.

The Connétable of St. John:

You are happy that the U.K. Government come along and rape our Island of our various businesses.

Senator I.J. Gorst:

I am not sure, is that a parliamentary term? Even if it is, the U.K. Government - as this Government does - acts in its own interest and that is why communication and building of relationships and understanding

of decisions made here or made elsewhere and the effects that they might have upon us is absolutely vitally important and I would suggest that the Deputy's question answers his previous questions about why it is so important.

Deputy M. Tadier:

Sir, can I raise a point of order? I would not normally do this but I have to object to that expression being used in this contest because people have been pulled up for using words which are similarly offensive. I know it was not intended that way but...

The Bailiff:

No, I do not consider it is out of order to say that one Government has, in effect, raped another. That is a part of political debate.

4.5 Senator S.C. Ferguson:

Given the recent publicity surrounding the BBC and their deceased employee, plus the current stories in the press, does the Chief Minister not consider that the broader investigation - as outlined by Verita - is the correct way forward?

Senator I.J. Gorst:

There have been many investigations into various aspects of both the Haut de la Garenne investigation and child care services. They are a matter of public record and, as I said, I am considering and bringing together the 2 strands of those terms of reference as we speak.

4.5.1 Senator S.C. Ferguson:

But the additional publicity that we have had over the last few weeks surely makes a broader investigation absolutely imperative?

Senator I.J. Gorst:

That is the Senator's position and I will take it into consideration in reaching my decision.

4.6 Deputy J.H. Young:

The Chief Minister in his written answer to Deputy Le Fondré, question 13 today, about working groups influencing Minister's decisions and policy, publishes a list of 179 working groups, mainly of civil servants. His answer also makes a commitment to openness and accountability. Can he confirm that he supports a principle of transparency of those influences and would he arrange to review all of the 179 bodies to ensure that their arrangements for publication of minutes and so on comply with that principle?

Senator I.J. Gorst:

I thought, if anything, the answer showed that there is far more cross-departmental working than sometimes we, as politicians, are aware of. I think it is a very comprehensive answer providing details of working groups and how they are helping Ministers to develop policy. I am not sure that a review of the 127 would be a particular good use of time. If the Deputy has particular ones that he thinks perhaps are not functioning correctly or would like to see reviewed then of course I will be happy to consider that.

4.6.1 Deputy J.H. Young:

There are a number on there that plainly stray, I would suggest, into policy areas which I will certainly draw to the Minister's attention. But my point I think is that the public and Members of this Assembly need to be aware of these groups. I personally was very surprised to see so many. I am grateful for the list but I ask the Minister to ensure that those groups function within a proper structure rather than a very ad hoc arrangement where we do not know of their existence.

The Bailiff:

What is your question, Deputy?

Deputy J.H. Young:

Will he have a further look at the groups - including the ones that I will identify for him after today's Assembly - to ensure that there is transparency of influences on Ministers?

Senator I.J. Gorst:

As I said previously, of course I will, yes.

4.7 Deputy J.A. Hilton:

Members attended on Andrew Williamson and the terms of reference just a couple of weeks ago and at that meeting I raised the question of extending the timescale of the inquiry, which I believe is from 1960 to 1994, to include the whole of the 1990s. Can the Chief Minister tell me whether he has considered that request and if he has not would he please do so?

Senator I.J. Gorst:

The Deputy raises a very good point. I have had correspondence, which I believed all States Members were copied in on, from the Jersey Care Leavers' Association and that was one particular point that they were concerned about - the cut off time - and, therefore, I am considering it.

4.8 The Connétable of St. Helier:

Would the Chief Minister join me in congratulating the organisers, sponsors, volunteers - especially the Honorary Police - and most of all the participants in Sunday's Jersey Marathon, and could he tell me whether this type of event led tourism and community event has the full support of the Council of Ministers?

Senator I.J. Gorst:

Yes, I can join with him in congratulating those who took part and those who organised what I believe was a successful marathon. As the Connétable knows unfortunately I was not in the Island on Sunday but I was visiting Bad Wurzach and perhaps I would like to congratulate the Connétable for the work that he and St. Helier have been doing with Bad Wurzach, it was a very moving occasion and one that I believe that more people should build upon and perhaps visit. But I know that the Connétable has done a lot of work in that twinning association and developing that process and I congratulate him in return. With regard to event-led tourism, yes, I am indeed supportive of it.

4.9 Deputy T.M. Pitman:

Given the Chief Minister's highly dismissive response to my questions earlier, can he confirm that he is speaking from a position of knowledge insomuch as has he taken up my suggestion of several weeks that he reads the Sharp Report so he is familiar with the appalling child abuse that certain individuals were quite happy to cover up and then become a Jurat?

The Bailiff:

I think the question was, have you read the Sharp Report?

Senator I.J. Gorst:

I think it was more about the suggested dismissive response. I do not believe that I was dismissive, I simply reiterated the difficult nature of politicians trying to - I do not want to use the word "interfere" - but the relationship with the judiciary. So we can, I believe, be proud of the independence between those 2 arms of government in this jurisdiction. I recognise, and the Deputy alluded to some areas of concern, but I am not certain that standing and exchanging jibes across this Assembly is the best way to deal with those. As I have said previously, if there are legitimate concerns then of course I will consider them. If he thinks that the political oversight is inappropriate and needs to be enhanced then we need to find ways forward and not jibe across this Assembly because of the important democratic principles at the base of that separation.

4.9.1 Deputy T.M. Pitman:

Could I ask that the Minister answers the question, has he now read the Sharp Report because it is so important?

Senator I.J. Gorst:

No, I have not.