

2. Oral Questions

2.1 Deputy R.G. Le Hérissier of St. Saviour of the Chief Minister regarding the Council of Ministers' views on independence:

Has the Council of Ministers discussed the issue of independence? Do the views on independence recently expressed by the Assistant Chief Minister with responsibility for External Relations represent those of the Council and if not, what is the Council's position?

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

As you will be aware, there are 2 questions this morning on this issue and I propose to ask my Assistant Minister with responsibility for External Relations to answer the first and I will answer the second.

Senator P.M. Bailhache (Assistant Chief Minister - rapporteur):

I am glad to have the opportunity, both personally and on behalf of the Council of Ministers, to answer this question and to make clear to Members the views of the Council of Ministers on independence. My understanding is that the position of the Council of Ministers has not changed since the Council considered the Second Interim Report of the Constitutional Review Group in 2008. It is not Government policy to seek independence from the United Kingdom. However, it is Government policy to ensure that the Island is prepared for independence as part of any normal contingency planning process.

2.1.1 Deputy R.G. Le Hérissier:

Would the Assistant Chief Minister identify whether he gave interviews at the instigation of the Council of Ministers or whether this was a freelance effort on his own behalf?

Senator P.M. Bailhache:

The interview to the *Guardian* was given as a result of consultation among Ministers and at the request of Ministers. The correspondent concerned interviewed a large number of people in Jersey and my understanding is that a number of articles in the newspaper resulted from those interviews.

[9:45]

2.1.2 Deputy G.P. Southern of St. Helier:

Has the Assistant Chief Minister, in his current role or in his previous role, had papers prepared examining the consequences of possible independence and, if so, will he release those papers so that Members of this Assembly can understand fully what the consequences of any preparation for independence might be?

Senator P.M. Bailhache:

The Second Interim Report of the Constitutional Review Group laid out a number of issues. That report was laid before the Assembly in 2008. It is a public document. It is available for anyone to see and, so far as I am aware, all the relevant information concerning the workings of that group were put into the public domain at that time.

2.1.3 Senator S.C. Ferguson:

Does the Assistant Chief Minister accept that this particular quotation has caused some considerable damage to the reputation of the Island as a stable jurisdiction?

Senator P.M. Bailhache:

I am not sure what statement the Senator is referring to. Perhaps she could clarify.

Senator S.C. Ferguson:

The Assistant Chief Minister has been quoted as talking about independence for the Island and this has reached a number of newspapers, not just the *Guardian*, which is known for its leftist tendencies, but also newspapers on the Continent. Would the Assistant Chief Minister not accept that this particular quotation, whether or not it was taken out of context, has caused some damage to the reputation of the Island as a stable jurisdiction?

Senator P.M. Bailhache:

Could the Senator, for a point of clarification, repeat the quotation that she is referring to for Members' benefit please?

Senator S.C. Ferguson:

I really cannot remember the French one.

Senator P.M. Bailhache:

I do not think that I have said anything to any newspaper correspondent. I have just repeated that to the Assembly in answer to the question of Deputy Le Hérissier. It is unfortunate that the *Guardian* newspaper chose to couple the comments, which had been made on contingency planning, with publicity that had been given to unfair tax of witnesses in the United Kingdom and sought to portray the comments on contingency planning as if that were a reaction to the controversy in the United Kingdom. That was not the case and the newspaper, in my view, was quite wrong to put that connection into the public domain.

2.1.4 Senator S.C. Ferguson:

Given that, whether or not the newspaper misquoted the Assistant Chief Minister, what measures are being undertaken to rectify the damage to the Island's reputation?

Senator P.M. Bailhache:

I do not accept that there has been any damage to the Island's reputation. I think that any sensible person would recognise that contingency planning is a sensible thing for any Government to do and I do not accept the premise to the Senator's question.

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

The Assistant Chief Minister made reference to the report or that was identified as a report to the Assembly but has the policy of being ready or to make preparations for independence if necessary ... I will give the quote: "The Island should be prepared to stand up for itself and should be ready to become independent if it were necessary in Jersey's interests to do so." That is what the *Guardian* has said. When was that policy, if that is a policy, endorsed by this Assembly?

Senator P.M. Bailhache:

I am not sure that it is the policy of the Assembly because it was the view that I was expressing to the journalist that if it was in the interests of the Island to become independent, that was a matter which should be considered. I think I expressed the view that it was not sensible to put one's head in the sand like an ostrich and refuse to accept that a possibility existed if that were in the interests of the Island.

2.1.6 Deputy J.G. Reed of St. Ouen:

For the sake of clarity, could the Assistant Chief Minister confirm the position of the present Council of Ministers and when this matter was considered by them?

Senator P.M. Bailhache:

The position of the Council of Ministers is exactly the same as the position of the Council of Ministers in 2008. It is not the Government's policy to seek independence. It is the Government's policy to make contingency plans.

The Deputy of St. Ouen:

The Assistant Chief Minister has not answered my question because he is suggesting that the view has not changed since 2008. He is not acknowledging that we have a new Council of Ministers made up of new States Members and I am asking the question, does this Council of Ministers support the issue as suggested by the Assistant Chief Minister?

Senator P.M. Bailhache:

I am sorry that I misunderstood the Deputy and I just perhaps should make it clear that I do not believe that the Council of Ministers has given detailed consideration to this issue during the currency of the term of office of the present Government. There was a brief discussion at the last meeting of the Council of Ministers but it went no further than that.

2.1.7 Connétable P.J. Rondel of St. John:

Could I ask the Assistant Chief Minister to pass on to his colleagues and the Chief Minister the thanks of many Islanders for keeping this on their agenda because we have to be prepared at any time to move forward in other directions and, on my behalf, I would like him to pass those thanks on.

Senator P.M. Bailhache:

I am grateful to the Deputy. I shall certainly pass them on to the Chief Minister. **[Laughter]**

2.1.8 Deputy M. Tadier of St. Brelade:

Following on from the Deputy of St. Ouen's question, on what basis is the Assistant Chief Minister or the Chief Minister making statements on behalf of the Council of Ministers to the international community to a left-wing newspaper in the U.K. (United Kingdom) when the common foreign policy on independence has not even been discussed with this present Council of Ministers?

Senator P.M. Bailhache:

I think the answer to that is the answer that I have already given. I do not believe that the policy of the Government of Jersey has changed in the last 4 years. It is perfectly legitimate, it seems to me, for the Chief Minister or for his Assistant Minister with the responsibility for External Affairs to reflect that policy in any discussions with a journalist.

2.1.9 Deputy M. Tadier:

The Assistant Chief Minister is saying he does not believe. That is not the same as knowing. Does the Assistant Chief Minister accept that perhaps on this occasion in hindsight he has made an error of judgment and that he should have checked with the Council of Ministers and the Chief Minister first so that he knew for certain what the policy was rather than just having a guess that it may be the same as the previous Council of Ministers?

Senator P.M. Bailhache:

No, I do not accept that there was any error of judgment. I think there is no doubt or dispute as to what the policy of the Government is and I have expressed it several times.

2.1.10 Deputy T.M. Pitman of St. Helier:

On the same theme really, can the Assistant Chief Minister advise whether he does not perhaps think that, as the External Relations role is not a Minister elected by the States, that perhaps it would be better to avoid confusion if the Chief Minister alone made these kinds of statements?

Senator P.M. Bailhache:

I would certainly agree with the Deputy that it is important that any Assistant Minister should endeavour to ensure that any views that he expresses are those which are shared by the Minister whom he represents. I am satisfied that the Chief Minister is entirely *ad idem* with the views that I expressed to the *Guardian* newspaper.

2.1.11 Deputy J.A. Hilton of St. Helier:

Is the Assistant Chief Minister able to tell Members whether he or any other Minister or Member of the Executive has had discussions with their counterparts in Guernsey on the matter of independence?

Senator P.M. Bailhache:

I think the answer to that is that the subject has arisen tangentially in terms of contingency planning with Ministers in Guernsey. I hope I am not going beyond my brief by saying that the responsible Ministers in Jersey are due to meet the equivalent Ministers in Guernsey towards the end of this month or the beginning of next month in order to discuss a whole range of issues and this may be one of the issues under consideration.

The Deputy Bailiff:

I am going to allow 2 more questions and then the first questioner the final supplementary, because we have been going for 11 minutes so far and this is not the final question on the subject. Deputy Baudains?

2.1.12 Deputy G.C.L. Baudains of St. Clement:

While reviewing our relationship with the U.K., which in my view is welcomed inevitably, would the Assistant Chief Minister not agree that perhaps his discussion with the U.K. media was unfortunate?

Senator P.M. Bailhache:

The discussion with the *Guardian* journalist was undertaken after a great deal of consideration because, as Members will be aware, that particular newspaper is not known to be a particular supporter of the Island. It was therefore a matter for considerable discussion as to whether the interview should be given. It was a long interview and a number of areas were covered during the course of that interview of which preparations for independence were only a relatively small part. I do not regret in any sense responding to the questions that were put to me by the journalist because to have refused to answer those questions, I think, would have excited his interest even more.

2.1.13 Senator L.J. Farnham:

Would the Assistant Chief Minister confirm to the Assembly, if it is indeed the case, that despite rather unbalanced newspaper articles, the Island does still enjoy a very good and productive political working relationship with the U.K.?

Senator P.M. Bailhache:

I am sure the answer to that is yes.

2.1.14 Deputy R.G. Le Hérissier:

Can the Assistant Chief Minister put to bed the feeling widespread among this population that he, in fact, is an earnest advocate of independence and is simply disguising it under the heading of preparation for independence? Would he state his views on independence?

Senator P.M. Bailhache:

No, I will not. I have made my position absolutely clear on several occasions. I am not in favour of independence at the present time. I am in favour of making contingency plans if it should ever in the future be in the interests of the Island.