

2.7 Deputy T.M. Pitman of St. Helier of the Minister for Treasury and Resources regarding the findings and criticisms within the Comptroller and Auditor General's report into the Lime Grove House acquisition:

Does the Minister agree with the findings and criticisms within the Comptroller and Auditor General's report into the Lime Grove House acquisition and, if so, will he be resigning?

Senator P.F.C. Ozouf (The Minister for Treasury and Resources):

With the benefit of hindsight, I fully accept that mistakes were made in the handling of Lime Grove. I was put in a difficult position from the start with an offer being made for the building without my or the Council of Ministers knowledge, which went against our agreed policy of no surprises within our ministerial team. I accept that I should have acted earlier to deal with both Lime Grove and issues within Property Holdings. I regret that, because of the sheer scale of the responsibility I had, particularly in the last year, I found this very difficult, but I should have acted earlier. So I stood for re-election, on the basis of a new way of working, and I hope that colleagues on the Council and this Assembly will have seen how I have tried and will have noted the changes in recent months. I will continue to change. I also welcome the training that is now going to be available as a result of what the Chief Minister has been doing on how to better deal with performance issues. So I have high standards for myself and those who work with me. Nobody is perfect and neither am I. I have made it clear that Ministers need to have the confidence of the Chief Minister and while I hope that I have, I hope to be able to continue to serve to the best of my ability and with, I hope, the continued support of this Assembly.

2.7.1 Deputy T.M. Pitman:

Having spoken to the Minister over the weekend, I am aware that he has given some in-depth answers in an exclusive interview to the Voice for Children, Citizens Media site. However, for those who have not seen it, I think there is one issue that the Minister really needs to address if he is to maintain or regain the support of Members and that is, can he give us some detail to set our minds at rest on these allegations of bullying, particularly those allegations that he was willing to ruin a civil servants career. That is what needs answering, and I think the Minister appreciates that.

Senator P.F.C. Ozouf:

I fully accept that and I want to be absolutely clear that bullying, in all of our views and in my own view, has absolutely no place in any work place or within the States of Jersey. It is a difficult line when you are accused of bullying when that person is being held to account. I would say that my behaviour in relation to holding people to account was not bullying, but I do understand that there is a fine line and that people that are being challenged and when their performance is being challenged, could say that they are being bullied. That is not an accusation that is being adjudicated on. Indeed it probably never can be because of the circumstances of one person saying the other. I do not think that I am a bully. I believe in teamwork. I pride myself on having built strong teams and working together with people. I think that all Ministers need training. We need training on performance management and I accept that I need training. I have read J.A.C.S. (Jersey Advisory and Conciliation Services) articles in recent days about what is bullying and what is not bullying and we all must learn that. We must do away with a culture of bullying in the States - if it existed. If my actions were regarded as bullying, then I regret that but I do not believe that on an independent analysis that my actions against the individuals in Property Holdings were.

2.7.2 Deputy M.R. Higgins:

If I can just say to start with, to err is human. Now the Minister fully indicated that he made one mistake in the sense that he was not monitoring. Would he like to elaborate on his other mistakes?

Senator P.F.C. Ozouf:

As a Minister, and particularly as Chief Minister, you make hundreds of decisions. Perhaps the easy thing to do in politics is not to make any decisions and not to challenge **[Approbation]** and I fully accept that I am not perfect. If I get 8 or 9 out of 10 decisions right, then I think I am doing the right thing. I need to learn from mistakes and we all need to. We need training and this is something that we have not had. I have never had training as a Minister. There has been limited training within H.R. (Human Resources). This is something the Chief Minister is changing. I want to raise my game, I want to be a better States Member and I want to be more engaging. I will make mistakes and I will continue to make mistakes, but you need to learn from your mistakes. These issues that I am being judged on and that are attracting so much attention are issues that happened last year when I was under extreme pressure - perhaps too much pressure - and of course, as I have said, mistakes have been made. I am sorry about that, but things need to move on.

2.7.3 Deputy M.R. Higgins:

I accept that people make mistakes and so on, but I would like to know, especially with regard to Lime Grove and perhaps the Bill Ogleby affair, if you could just elaborate on the mistakes in regards to that area.

Senator P.F.C. Ozouf:

I should have acted earlier in dealing with Property Holdings. If Members think back to last year, I was being faced with question after question from Members about a deteriorating relationship between Property Holdings, the Parishes, the Housing Department, all manner of areas. I should have worked with my Assistant Minister. I tried to put in place good communication. I set up weekly meetings. I would try and communicate but communication goes both ways and perhaps I did not engage quickly enough. The sheer scale of things that I was dealing with last year meant that I did not attend to Property Holdings with the attention that I should have done. I should have prioritised it higher but I had other things such as Zero/Ten, F.S.R. (Fiscal Strategy Review), C.S.R. (Comprehensive Spending Review) to deal with. I am sorry that I did not deal with Property Holdings earlier, I should have done so. In relation to the former Chief Executive, obviously that is a subject of the P.A.C. (Public Accounts Committee) report. I do not think it is possible to level a criticism against the Minister, against the highest official in the States of Jersey and say that a Minister bullied. I never received a complaint about it and the issue is a report in his own file that he said of me. It was never said to me, so I find it very difficult that I have to respond to issues that have been put on file. Justice means that you have allegations and you respond to them.

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

Given that the Minister has had the opportunity to have extensive discussions with the Comptroller and Auditor General to straighten the record, why does he feel that the Comptroller and Auditor General, who in my view has a reputation above reproach, has felt it necessary to cast doubt upon the credibility of his evidence?

Senator P.F.C. Ozouf:

Again, I find this extremely distressing. I find myself in a position where I asked the Comptroller and Auditor General to record the interviews. Other interviews were recorded, transcriptions were made. I asked the C. and A.G. (Comptroller and Auditor General) to record the interviews. That was refused. I asked the C. and A.G. to take an independent witness, that was refused, and I now find myself in a position where I am caught in the middle of a public debate about whether or not my evidence was accurate. I have not denied saying that mistakes were made with Lime Grove. I am very clear that there were, but I find it extremely distressing that I now find myself in a position of being doubted when I tried to put in place measures to

ensure that my evidence ... and I stand in this Assembly being truthful and honest. I gave significant evidence on oath and I stand by it.

2.7.5 Deputy J.A.N. Le Fondré:

The States Watchdog has said that the credibility of the Minister's evidence needs to be considered, I think the Minister needs to answer a bit better than that.

Senator P.F.C. Ozouf:

The letter from the Comptroller and Auditor General was sent and was leaked and I am again on the back foot having to respond to issues. I did not know about the concerns of the Comptroller and Auditor General. I asked for fairness. I am absolutely happy to be judged fairly but processes need to be fair and all I ask is for fair treatment. I am more than happy to be held to account but I want fairness and my interviews were not transcribed, so of course it will be one person against the other. I am honest in what I say to this Assembly and I regret the fact that there is now a further issue, which has been put into the public domain and leaked, when I asked for safeguards to be put in place. I ask Members to judge to their own conclusions.

2.7.6 Deputy G.P. Southern:

May we cut to the quick? Should any Minister whose evidence to the C. and A.G. raises questions as to its reliability remain in post?

Senator P.F.C. Ozouf:

I believe that my evidence was reliable. I believe that I spent many weeks; in fact I was talking to officials in the Treasury yesterday and trying to make an estimate of the amount of time that we have gathered in putting evidence together for Lime Grove. We have probably spent more time putting evidence together, giving every single email, every single bit of correspondence, than we did working on the project. I cannot say that we have been anymore than completely truthful in the evidence that we have given. It is up to Corporate Services and the C. and A.G., of course, to receive that evidence. I believe that we have done so and I regret the imputation that we have not. I would remind the Deputy again, that I asked for transcriptions of the interviews, and that was recorded, and I am now at a centre of a debate apparently - again not put to me - that effectively there was a disconnect between what was said between 2 people. I regret that.

2.7.7 Deputy G.P. Southern:

Did the Minister say to the Comptroller and Auditor General: "Are you out to get me?"

Senator P.F.C. Ozouf:

I said in my report, I responded to the notes, again not contemporaneous notes, that effectively: "Was this report out to get me?" I have not said that I did not say that. The report of the notes was 5 pages of a 3-hour meeting. They were not contemporaneous notes. I received notes of an earlier meeting after 3 requests for receiving notes 3 months after. Five pages of double-typed stamped for a 3-hour meeting. That is not a transcript, so of course there is going to be incomplete notes and I regret that when other evidence was recorded. I asked for evidence to be recorded and if it had been then perhaps we would not be in this situation now.

2.7.8 Senator S.C. Ferguson:

The question that appears to be coming up though, in most of the interviews and throughout the report, is that there appears to be a pattern of behaviour that the Minister is indulging in. Obviously he has said that there will be training programmes and perhaps this will alleviate the problem, but by my count, he has disposed of some 4 chief officers, which follows a pattern. Would he care to comment on that?

Senator P.F.C. Ozouf:

I expect high standards and: first of all, I think it is absolutely wrong to suggest that I have disposed of 4 chief officers. That is absolutely wrong. I did not make the decision in relation to the former chief executive. That was a matter for S.E.B. (States Employment Board) and the former Chief Minister. But again, I am cast in this role and certainly it is suggested that something happened because of something I did. I do not think these are fair accusations. If anybody is feeling unfairly treated by such accusations, I feel it is unfair. I have read J.A.C.S. bullying and harassment process, and indeed some aspects of J.A.C.S. bullying and harassment process, in my regard; I have been perhaps poorly treated in relation to some of these issues. I asked for fairness. I do have high standards and I have been asked to do a very difficult job for this Assembly in the most difficult of economic circumstances and, so far, I have had the support and the confidence of the Assembly on very difficult issues. But of course, when dealing with difficult issues, you will ruffle feathers and I regret that. That should not be regarded as bullying.

2.7.9 Senator S.C. Ferguson:

Does the Minister not consider that if 3 people have one view of a meeting and one has a different view, then it is more than likely that the one is incorrect?

Senator P.F.C. Ozouf:

That one meeting was certainly a difficult meeting after months of promises of resolving an issue; there were certainly some strong issues raised, but I also followed that meeting up with a clear statement, as the procedures that I now read in J.A.C.S. says that you should do. I followed that meeting up by being absolutely clear that I wanted a solution for Lime Grove. I wanted an office strategy before this Assembly 18 months ago and I note the difference that is now being approached. My former Assistant Minister, the Constable of St. Peter, and Deputy Noel, the progress they have made with Property Holdings is in marked contrast between the... I think that not enough progress was made before. I am sorry if people think that that is holding to account but that is the reality of it. I stand accountable and I have to deal with difficult issues and that should not be described as being inappropriate activity. Ministers are expected to hold their officials to account but I accept it has got to be done properly and I am against bullying.

2.7.10 Deputy J.H. Young:

Does the Minister consider that it is possible that he may not always be right and does he accept wholeheartedly, in his heart, that other people have valued opinions on matters and that in a Government, it is necessary to work co-operatively and wholeheartedly and collectively with other people and share responsibility?

[10:30]

Senator P.F.C. Ozouf:

Absolutely, it is teams that work. I look across the Assembly to the Deputy who was a former chief officer of a department that I was responsible for, that I had to deal with some very difficult issues with him at the time in dealing with the difficult planning and public services issues. In my term of office, we certainly had a happy team at Planning and Public Services, after all of the butt of jokes of Transport and Technical Services, and I stand ready to serve, serve co-operatively as a team member of the Council of Ministers and I hope colleagues on the Council of Ministers will see how I am trying to co-operate as a team. I am not always right. Teams are the right decision and I am working with every single Minister and I have invited every single States Member into the Treasury. Come and talk. I want their views. I am not always right but I certainly have to make decisions.

2.7.11 Deputy T.M. Pitman:

I am just hoping that the former questioner is not one of those Members that was disposed of by the Minister for Treasury and Resources in his past. My final question is ... I have been in the States coming up to 4 years. I have seen what I, and many, consider to be a complete shambles at Health and at Home Affairs even more so. I have never ever seen someone held accountable. I have never seen this furore created by the *Jersey Evening Post*. Perhaps the Minister could say what does he think is different here? What is driving this? Crucially, the really big question is does he still have the Chief Minister's support?

Senator P.F.C. Ozouf:

I think ministerial government does mean that Ministers should be held accountable and that is the big difference between the old committee system, where it was very difficult to do so. I am happy to be held to account and I am happy to be held to account on my decisions in relation to Lime Grove which, as the Assistant Minister has said, I believe that we will end up with a far better solution for the Minister for Home Affairs and the Chief of Police. I am not perfect. I need to learn just as we all do about mistakes. I want to engage and learn. I am not going to comment on the other matters for other Ministers. Clearly, there were massive issues within the States of Jersey over the last 6 years. There were huge failures in different departments. The Health White Paper issued yesterday indicates the scale of problems that we now have to deal with, but we are tackling it. This new Council of Ministers, under the direction of the Chief Minister, is tackling it and tackling it as a team. I am working with every single Minister in order to achieve their objectives. It is a matter for the Chief Minister but I do hope I continue to have his confidence. If I do not, then I have made it absolutely clear and I hope that that has been clear in all the interviews that I have given, both on the accredited and non-accredited media.