

2014.12.09

**8.9 Deputy S.Y. Mézec of the Chief Minister regarding the creation of the new post of Minister for Finance, Digital and Competition, and changes to the “Troy Rule”:**

What timetable does the Chief Minister envisage for the creation of the new post of Minister for Finance, Digital and Competition, and will any changes to the “Troy Rule” be recommended to facilitate this?

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

Draft Regulations were to be lodged today for debate on 20th January, however Scrutiny have asked to undertake a speedy review prior to lodging. I am therefore liaising with Scrutiny about an appropriate lodging date, which I hope will be in a matter of weeks. The Regulations do not change the Troy Rule.

**8.9.1 Deputy S.Y. Mézec:**

I am delighted to hear that. Does he envisage any change to the Troy Rule in the future, short or long term, as a consequence of this change, regardless of whether it is in the Regulations?

**Senator I.J. Gorst:**

Just to be quite clear, this change does not require any change to the Troy Rule whatsoever. However, the Deputy knows that I have made comments about the importance of minority government from a purely mathematical standpoint rather than the current standpoint which is mathematical and minus 10 per cent. I will be having discussions with P.P.C. (Privileges and Procedures Committee) about that in due course.

**8.9.2 Deputy J.A. Hilton:**

Can the Chief Minister just confirm that no current Minister will be losing their portfolio?

**Senator I.J. Gorst:**

That is right. The Troy Rule requires there to be no more currently than 21, I think it is, as Ministers or Assistant Ministers. The proposal for setting up the new Ministry is that I would propose an existing Assistant Minister to go into that role, therefore the numbers would remain at 21, therefore requiring no change to the Troy Rule.

**8.9.3 Deputy J.A. Hilton:**

A supplementary? What consideration did the Chief Minister and Council of Ministers give to appointing a Children’s Minister?

**Senator I.J. Gorst:**

At this stage there was not any consideration given but lots of consideration has been given, particularly by the individual that did a report a number of years ago who suggested that might be the way forward. I have personally spoken to that individual about the feasibility and possibility of the creation of such a role. This highlights one of the issues with the current Troy Rule which is mathematical minus 10 per cent. If we took away the 10 per cent and had a mathematical minority government, so anything under 25, then we would be able to consider the creation of other either Ministerial or Assistant Ministerial roles to include more people who might wish to take on such a role.

**8.9.4 Deputy T.A. Vallois of St. John:**

Could the Chief Minister advise exactly what discussions have been had around moving portfolios and creating new portfolios, and when these took place?

**Senator I.J. Gorst:**

Yes, there have been a number of discussions that took place and they took place as the Deputy might suggest between the elections on whatever day it was in November and the appointments of Ministers on whatever day that was in November as well.

#### **8.9.5 The Deputy of St. John:**

On that basis, could the Chief Minister advise whether there is any information pertaining to those discussions and whether it is available to Members to see and assess for themselves?

#### **Senator I.J. Gorst:**

As I have just said, Scrutiny are going to undertake a review of how Ministers or particularly myself are brought to the point of making those changes that I did. I think they are important changes and it is important that portfolios are aligned. Those portfolios that are perhaps too large have been moved. We need an absolute important focus on delivering the income line, which is what the creation of the new Ministry is all about and arising from that a number of other changes I think will deliver focus in various departments as well.

#### **8.9.6 Deputy A.D. Lewis:**

I wonder if the Chief Minister could give us an indication as to why he feels that digital and competition - these 3 elements in fact - should be moved out of the Economic Development area and into this new Ministry? I assume it is in the proposition that you were going to lay before us today but could the Minister give us some indication as to what his thinking around this is?

#### **Deputy M. Tadier:**

Sir, a point of order. That seems to be too wide of the question, this is about the Troy Rule, it is not about the creation of that particular portfolio and the merits of it.

#### **The Bailiff:**

It is very kind of you to offer your views, Deputy, [Laughter] but I will make the decisions on what is a supplementary.

#### **Deputy M. Tadier:**

I know I have been pulled up for less, Sir.

#### **The Bailiff:**

I am going to allow that question. Chief Minister.

#### **Senator I.J. Gorst:**

Perhaps for a moment I have been aligned with Deputy Tadier. I thought the original question was about the timeline of the lodging of Regulations to give effect to the creation of the Ministry and not the Ministry itself, but I am quite happy to, of course, answer the question. There has been acceptance that the Department of Economic Development, as was, was an extremely wide-ranging and yet at the same time important department. Many Members and members of the community felt that the Minister was doing a valiant job of trying to keep all the balls in the air, as it were, by the fact that there were so many issues to be considered. By necessity some of them were not able to be focused on as we might have liked. I believe that innovation and technology are going to be in the future a very important part of our economy and we need to create the focus on delivering that and we need to have Ministerial focus to do that. I think we all accept as well that while Gigabit Jersey is an important starting point, that will give the foundations to a technology sector in our community, but there are other important competition issues, particularly in the telecoms market, that again are going to need Ministerial focus and 100 per cent undivided attention. At the same time we know that financial services drive the income line in our economy. As I said earlier, certain areas of that are suffering from consolidation around the world, other areas we need to

continue to grow, and that is why we are in a unique position now of being able to put resource, to put Ministerial resource and focus on to driving up that income line.

**8.9.7 Deputy A.D. Lewis:**

Supplementary? I can understand why competition may come out of this Ministry but the other 2 elements almost suggest the Minister does not have confidence in his Economic Development Department to run with these 2 issues, which are 2 very important economic development issues. Does he have confidence in his department?

**Senator I.J. Gorst:**

I could simply say yes.

**The Bailiff:**

Well, why do you not? [Laughter]

**Senator I.J. Gorst:**

It goes with the job, Sir, I do not like simply saying yes. That is not the case, the Economic Development Department as currently formed or as previously formed was extremely wide-ranging and how many times have I heard in this Assembly and out in the community that they did not focus enough on tourism, they did not focus enough on agriculture? The changes to the departmental portfolio mean that there is going to be appropriate focus on all those important aspects of our economy. They are just going to be separated out and have the appropriate Ministerial focus, drive and determination applied to them.

**8.9.8 Deputy M. Tadier:**

To focus on the second part of the question, when the Minister talks about the Troy Rule, does he agree that it is not simply a question of mathematics but the spirit of what was envisaged in what might have otherwise been called the Clothier Rule, that the balance of power is critical in this kind of Assembly? At the moment the Ministers, if we think that there is collective responsibility of some kind, only need currently 4 other Member of the Non-Executive to be able to control Scrutiny; under his plans it may be that they only need to co-opt one or 2 other Members to be able to dominate what the Scrutiny function does for the terms that they are in office. Does he agree that it is important that maybe we should be moving towards a point where Ministers and Assistant Ministers do not have any say on who is appointed to the scrutiny positions?

**Senator I.J. Gorst:**

I do not accept that last point. This is a problem that this Assembly has addressed previously and the Deputy is being slightly disingenuous because he knows that collective responsibility does not deliver 21 voting Members to the Executive. He knows it does not work like that. The problem of course is that we have this issue of whether Members feel included in Government decisions. Currently many Members - and I see some of them shaking their heads now - do not feel included and I think that is a problem. So we need to have Scrutiny allowed to do the work that it wishes to do unfettered by any Executive interference, that is what we have got. But perhaps if we are going to deliver a more inclusive system then we need to rethink whether just a mathematical minus 10 per cent is the appropriate model, whether it is simply mathematical might be an appropriate model and whether Assistant Ministers cannot support scrutiny as well where they are not conflicted. I think we have to consider those issues again.

**8.9.9 Deputy M. Tadier:**

Supplementary. If it is to do with mathematics we could also consider a mathematical plus 20 solution, so there could be a 20 per cent division between Executive and Non-Executive rather than reducing it. Would the Minister give that some consideration, if only to be even-handed in his deliberations?

**Senator I.J. Gorst:**

As I said, I will be discussing these matters with P.P.C. and it will be, I hope, for them to bring forward changes. No doubt they will be discussing the equation that he just put before the Assembly in light of what I asked them to consider.

**8.9.10 Deputy S.Y. Mézec:**

I am struggling to contain my excitement knowing that the lodging of these proposals is imminent. Could the Chief Minister indicate whether this new Ministerial post will have its own Assistant Minister and, if so, which current Assistant Minister will have to lose their job to facilitate this?

**Senator I.J. Gorst:**

As the Deputy points out, there is the possibility to take an existing Assistant Minister and propose them to this Assembly to become the Minister, there is no other latitude available.

**8.9.11 Deputy S.Y. Mézec:**

Just a point of clarification, he is able to get rid of someone who is currently an Assistant Minister to bring someone new in. So leave one department that currently has an Assistant Minister without one so that this new department will have an Assistant Minister. That is something he is capable of doing and would he consider that?

[10:45]

**Senator I.J. Gorst:**

Of course that is something that I could consider with the individual that I propose to be the Minister and that this Assembly supports to be the Minister but I have given it no consideration up to this point. I have not intended to do such a thing. Can I just say, I am slightly surprised that the Deputy does not appear to be interested in this issue, as he said in his final supplementary, and yet he felt it was important enough to ask the question.