

### **3.4 Senator S.C. Ferguson of the Chief Minister regarding the progress made in addressing the standing-down of the St. Helier lifeboat crew: [1(237)]**

I will, Sir. I was just putting him on notice. Will the Chief Minister - also the Assistant Chief Minister - update the Assembly on any progress he has made with regard to addressing the recent standing down of the St. Helier lifeboat crew?

#### **Senator P.F. Routier (Assistant Chief Minister - rapporteur):**

I am sorry I do not feel as if the Senator will appreciate my answer but I have been asked to do this piece of work and I will continue to do so as long as I am being asked to do it. Last week was certainly a very busy week. But during that time I spoke with the R.N.L.I.'s Director of Community Lifesaving and Fundraising twice; once on the Tuesday morning and then again on the Thursday morning. At both of those times I can assure the Assembly that the trustees of the R.N.L.I. are fully aware of the support that this Island community, including ourselves, have for the Jersey local crew, and the crew that we want to have on board our vessel. As I said, I spoke to the Director after the trustees had met and I was assured that they are fully aware of what the situation is in Jersey and with the support of our local community and the local crew, and they will be taking all of that into consideration when they come to making any decisions for the future. I spent the week, as I say, meeting a lot of people: the Fire Chief, the Coastguard, the Harbourmaster, officers from the Economic Development and Tourism, and the Chief Minister's Departments, also visiting R.N.L.I. representatives who are in Jersey. I spoke with them. There is a process, which is going through, which we need to ensure is concluded and then we can decide what can happen in the future.

#### **3.4.1 Senator S.C. Ferguson:**

I am surprised that the Minister has not been in touch, for example, with Mr. Stuart Popham, the Chairman of the trustees, but given the fact that the Ports Authority are inextricably mixed up with this, will the Council of Ministers, the Chief Minister, confirm that they will require a full independent investigation of their involvement?

#### **Senator P.F. Routier:**

With regard to ensuring that Mr. Popham, who is aware of what is happening, certainly I can assure the Senator that he certainly is aware. I have not spoken to him directly but I have spoken to people to ensure that the message has got through to him and the rest of the trustees. With regard to the Ports of Jersey's involvement, we will obviously have to ensure that the Ports of Jersey and the Coastguard and everybody that is involved with the Safety at Sea, does ensure for going forward that we have an appropriate mechanism in place and if it requires us to have a review that is something that we will certainly do.

#### **Senator S.C. Ferguson:**

I am sorry, he has not answered my question. I asked for an independent investigation of the Port's involvement in this whole sorry episode.

#### **The Bailiff:**

The answer was: "If it required a review then that is something we will certainly do", that is what I heard.

#### **3.4.2 Deputy G.P. Southern:**

Does the Assistant Minister not consider that a holding answer, which is that the Chief Minister will deal with this issue when he returns to the Island, was totally insufficient at the time? To express total support for the lifeboat men and the return to work shows that the Assistant Minister did not know what he was talking about, does he not agree?

**Senator P.F. Routier:**

At no time did I suggest that we were waiting for the Chief Minister to come back to the Island. That is a false premise of the question.

**3.4.3 Connétable M.P.S. Le Troquer of St. Martin:**

It follows really on from Deputy Southern. I was going to ask the Chief Minister - with the Assistant Minister being the conduit - would the Assistant Minister agree that the Government's stance appeared to change after the Assistant Minister met with the R.N.L.I. Director and it may be more appropriate for the Assistant Minister to hold fire until that meeting had taken place?

**Senator P.F. Routier:**

There has not been a change of emphasis at all. From the Sunday meeting with the crew outside the lifeboat station I did say that I received a letter. In that letter there was a request for support in having an inquiry. That is something I still think is quite possible to happen, but we must wait until the disciplinary action is concluded. Then everybody will see whether it is an appropriate thing to have that inquiry. But certainly we must ensure that an enquiry is concluded before we make another decision.

**3.4.4 The Connétable of St. Martin:**

I am only going from the reported comments made to the media, but the Assistant Minister is reported to have said that he had the full support of everyone in Jersey, including the States. We had no knowledge of the facts behind the case at that time.

**Senator P.F. Routier:**

There hangs a little difficulty we have with regard to believing what is in the media. Unfortunately there has been a frenzy of social media comments. There has been a frenzy of comments by people in emails to myself and to other people and to also have the *Jersey Evening Post* carrying out a story which unfortunately was fake news. I have to say I was very pleased that ... not pleased, but I accepted the personal apology which the Editor wrote to me. Also the matter of ... there was a published comment in the newspaper putting right what was suggested in the previous day's front page. So unfortunately there is a frenzy of comments going around. We really need to let this settle down and for the review to take its course of action and then we can decide what, if anything, we need to do going forward. There are so many inappropriate things being said and we need to be wary; some of it is correct and some of it is not.

**3.4.5 Deputy S.Y. Mézec:**

When I spoke to a spokesperson from the volunteers just before the Easter weekend I was told that at that point there had not yet been an offer for a face-to-face meeting between representatives of the volunteers and representatives from the R.N.L.I. Could the Assistant Minister confirm whether or not that is still the case and if it is still the case that there has not even been an offer for a face-to-face meeting, would he agree that it would be important for these people to get round a table so that they can have an adult discussion about things and work out where their common ground is and a plan for moving forward? Would he say that the Government would be prepared to help facilitate this meeting because we are all very concerned about the situation; want a resolution as quickly as possible, but we also want the concerns of our volunteers to be taken into account in this process?

**Senator P.F. Routier:**

There is a meeting of the volunteers and myself and the Chief Minister happening later on today. But that is just from the volunteers' side of it. Obviously I have, as I said, during last week met with other people from the Harbour Office and the Fire Chief and everybody else. So there has been an inordinate amount of work being carried out during the last week and today, with the Chief Minister back in the Island, we are meeting with representatives of the crew.

**The Bailiff:**

I think the question, Assistant Chief Minister, was whether or not you would be moving to a mediation of some sort between the R.N.L.I. and the crew? That was what the question was.

**Senator P.F. Routier:**

As I said in an earlier answer, to a previous question, that is a route that I really would like to happen. I believe something should have happened with regard to mediation probably about 18 months, 2 years ago when things were starting to ... relationships were not good and it has got to the situation now which is totally unacceptable for our Island and I would recommend mediation as soon as we possibly can.

**3.4.6 Deputy K.C. Lewis:**

My question has been partially answered. Regarding the meeting later today, will it just be the Chief Minister, the Assistant Chief Minister and the crews that have stood down and no one else? Will Ports be involved or any other body?

**Senator P.F. Routier:**

It will be the Chief Minister, myself, and possibly another Minister. It will be representatives of the crew only today.

**3.4.7 Deputy M. Tadier:**

The Assistant Minister has spoken about a process and a possible review. Can he give any clarity as to what he thinks is his preferred option and what will this review entail and when will it take place?

**Senator P.F. Routier:**

I am afraid I cannot give any indication of how that would happen. There are so many different mechanisms that can be used. There can be straightforward mediation, getting someone to sit round the table and discuss things. There are other more formal investigative type of things that I would prefer; straightforward mediation with the assistance of a mediator.

**3.4.8 Deputy M. Tadier:**

I think we all want the same result, which is to get our much valued volunteer crew back in action and to see a good working relationship restored and the crew and coxswain vindicated, but does the Assistant Minister accept that actually because a lot of the processes that the R.N.L.I. will be going through and, in particular, the disciplinary essentially their own internal processes which may not necessarily even be published, that the Government of Jersey should stick to initially doing a review of what does fall under their remit, i.e. the behaviour of Ports of Jersey. Whether any of the behaviour that they took part in, in any way, contributed or led to the current crisis of the local crew.

**Senator P.F. Routier:**

If there is certainly something which indicates that is required no doubt that will happen.

**Senator P.F. Ozouf:**

May I make a point of order? In a previous question there was what I heard an expletive or a word heard on record and I also heard the previous questioner clearly audibly blasphemed in terms of a comment when the Assistant Chief Minister was speaking. Could you please rule as to whether or not such conduct, which I certainly heard in terms of the latter, and which was on record, is acceptable in this Assembly?

**The Bailiff:**

If I had heard it, Senator, I would make a ruling on it but I did not hear it.

[10:15]

**Senator P.F.C. Ozouf:**

Is it acceptable, Sir?

**The Bailiff:**

I have no idea, I did not hear it.

**The Bailiff:**

We have questions from Deputy Andrew Lewis and Deputy Labey and then a final supplementary.

**3.4.9 Deputy A.D. Lewis of St. Helier:**

I wonder if the Assistant Chief Minister could confirm: my understanding is that the only paid member of the lifeboat crew is the engineer. Does the crew ... are they subject to the normal employment laws or do they have their own codes of conduct within the organisation? Another matter, which has been brought to my attention by a number of interested parties, is leisure boaters are quite concerned about emergency cover. Can the Minister assure us that there is some kind of supplementary cover in place either by the Coastguard or the Fire Service for leisure boaters as we go into what is peak season of boating?

**Senator P.F. Routier:**

With regards to the first part of the question about the volunteers' code of conduct, the Deputy is quite right. There is a paid mechanic which would be ... he is still there and is still employed and that is still the case. With regard to all the volunteers, they follow and sign up to a volunteers' code of conduct and this is what the process is going through now. It is a process with regard to a failing within the volunteers' code of conduct. With regard to reassuring people with regard to leisure boating, when I met with the Fire Chief and the Coastguard I was given an assurance that with the existing assets, as they call them, available within our Island, they were confident that they would be able to cover any callout. Obviously there is a view that is held that it has got to be local people on the all-weather lifeboats.

**The Bailiff:**

Senator, be quick in your answers please.

**Senator P.F. Routier:**

I was given assurance that there would be cover for any occurrence that happened.

**3.4.10 Deputy R. Labey:**

Following his admission in an answer to my question that there is discord between the local R.N.L.I. and the Jersey Ports, who is going to mediate this discord? Is this not a clear case where finally a Minister needs to call the board in, get to the bottom of this and if necessary read them the riot act?

**Senator P.F. Routier:**

There is no doubt that this episode has focused people's minds, including the board of trustees of the R.N.L.I. and also the Ports of Jersey and the Harbourmaster. There is a recognition from everybody involved that things need to improve. To suggest that a Minister should call them together, there is a fine line to be struck there because we are ... although we have our desire to ensure that we have safety at sea and we have to ensure that the Ports of Jersey are, from our side, acting in an appropriate manner, the R.N.L.I. itself and the relationship they have with their crew is a matter for themselves.

**3.4.11 Senator S.C. Ferguson:**

When the Chief Minister and the Assistant Chief Minister meet with the volunteers will one of the questions be: is the R.N.L.I. complying with the code of conduct? Perhaps would they like to consider whether this is a matter that needs the influence of the Chief Minister and the Lieutenant Governor to effect a solution?

**The Bailiff:**

Whose code of conduct?

**Senator S.C. Ferguson:**

To ensure that the R.N.L.I. are also complying ...

**The Bailiff:**

With their own code of conduct?

**Senator S.C. Ferguson:**

... with their own code of conduct.

**Senator P.F. Routier:**

The R.N.L.I. have their code of conduct which they must be left to decide if that is an appropriate ... if they are carrying it out effectively. Certainly it is not appropriate for us to think about discussing things. As we know, Standing Orders does not permit us to discuss things about the Lieutenant Governor and I think that is appropriate. We should not be mentioning that. But certainly the Chief Minister and I will have that discussion and ask the question with the volunteers when we meet them today.