

STATEMENTS OF A MATTER OF OFFICIAL RESPONSIBILITY

6.1 Deputy G.P. Southern (Chairman of the Economic Affairs Scrutiny Panel - Telecoms Privatisation Sub-Panel):

On 30th January 2007, I advised the States that the Economic Affairs Scrutiny Panel would be unable to present a report to the Assembly before February of this year on the privatisation of Jersey Telecom. This was because of a series of highly relevant reports, including those produced by the Jersey Competition Regulatory Authority and by the Economic Adviser, had been delayed. Members may wish to know that the last of the outstanding reports - being that of the States of Jersey Economic Adviser - was finally made available to Scrutiny on 1st February, 2 days after my last statement. On 20th February, the Minister for Treasury and Resources lodged his proposal to privatise Jersey Telecom by way of a full sale of the States' shareholding. In doing so, he declined to wait for Scrutiny to publish its own report, thereby indicating a lack of respect for the Scrutiny process and preventing the possibility of Scrutiny adding value to his own developing policy. Members will note that the Minister considers it necessary to include both the J.C.R.A. report and the Economic Adviser's report in annexes 2 and 3 of his proposition, thereby demonstrating that both reports are indeed worthy of detailed consideration. By selecting a lodging date of 20th February, the Minister effectively made it impossible for Scrutiny to influence the content of his own proposition. The Draft Code of Practice for Scrutiny Panels and the Public Accounts Committee states that Scrutiny should aim to give witnesses 5 working days to consider and comment on those sections of a draft Scrutiny report in which their evidence appears. It also states that the Minister should be given the final report in sufficient time as to be able to prepare an informed comment on findings and recommendations. What this means, in practice, is that the Minister's timescale would have required the Panel to produce a full draft report for circulation to individual witnesses within one or 2 days of receiving the Economic Adviser's report. This was clearly an unreasonable demand. Once again, the imposition of such an unreasonable timescale reflects badly on the Minister's attitude to the Scrutiny process and the flexibility of his approach to this decision vital to the strategic interests of the Island and its people. The Panel wishes to advise the Assembly that the report prepared by the Sub-Panel will go to print by the end of this week and will be in Members' hands by Monday, 5th March.

6.1.1 Deputy R.G. Le Hérissier:

Would the Scrutiny Chair confirm that, in his negotiations or discussions with the Minister, the Minister is adamant that the debate will proceed on, I think, 17th April?

Deputy G.P. Southern:

I have yet to discuss the date for the proposed debate on the Minister's proposition but, if the Member wishes, I will do so, post haste.