

2024.06.25

3.12 Deputy J. Renouf of the Chief Minister regarding conflicts of interest among the Council of Ministers (OQ.126/2024)

Will the Chief Minister advise the Assembly on his approach to dealing with conflicts of interest among the Council of Ministers; and further provide detail on what advice, if any, Ministers have received about how to deal with conflicts of interest?

Deputy L.J. Farnham (The Chief Minister):

My approach to conflicts of interest largely reflects to that of the previous Council of Ministers which the then Chief Minister outlined in her response to Written Question 54 in 2023 from Deputy Feltham, for example, declaring conflicts of interest at the beginning of meetings of the Council of Ministers or withdrawing from a discussion. Members will know that an updated version of the Ministerial Code was published on 27th February, and that is R.31/2024, and those aspects relating to conflicts of interests I believe were clarified and strengthened in that report. Additionally, the supplementary guidance to the Ministerial Code of conflicts of interest published by the last Government is still in place and can be found at gov.je. I would note that Ministers and Assistant Ministers will have been offered the same induction training and advice provided by the States Greffe as relates to the Members' Code and that is set out in schedule 3 to Standing Orders, which applies to Ministers and Assistant Ministers as well.

[11:00]

3.12.1 Deputy J. Renouf:

The Ministerial Code to which the Chief Minister referred, R.31, at point 6 says: "Executive Members must identify and actively manage any conflict of interest between their Ministerial responsibilities and their private interests, not limited to financial interests, which includes their personal affiliations, charitable and family interests." Does the Chief Minister accept that this means that Ministers should declare to officers when they are dealing with matters regarding people they know or with who they have business relationships?

Deputy L.J. Farnham:

I think it depends on the circumstances; it is not always possible in Jersey. We all tend to know everybody else and I think it would be impractical if we had to declare every time we knew somebody. Ministers have made declarations at Council of Ministers where they consider an actual perceived conflict of interest may exist, and I do believe that continues to be the case. The treatment of that declaration of course depends on its nature with the course of action either being for the Minister to remove themselves from the meeting or, having made the declaration, to decide to remain. Ultimately it is a decision for the Chief Minister and the declaring Minister in each instance to determine how they wish to proceed. To date it is my belief that process has been operating well and I am not aware of failures to date.