

STATES OF JERSEY

OFFICIAL REPORT

FRIDAY, 18th NOVEMBER 2011

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[9:35]

The Roll was called and the Dean led the Assembly in Prayer.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS – RESUMPTION

The Bailiff:

May I, on your behalf, welcome His Excellency to this second day of voting. **[Approbation]** Then we move straight on to the election of the Minister for Economic Development. We have 2 nominations. So I would ask that Deputy Higgins please retire with the Assistant Greffier. Very well then, I invite Senator Maclean to address the Assembly.

1. Minister for Economic Development

1.1 Senator A.J.H. Maclean:

2008 proved an interesting year to be appointed Minister for Economic Development. It turned out to be the beginning of the worst global financial crisis since the 1930s. We knew Jersey would not be immune. In such circumstances it was necessary to examine the very fundamentals of how the Economic Development Department operated, in particular to ensure we had the tools and structure to effectively support the economy in recession. As a result, during my 3 years as Minister, I have overseen an ongoing transformation of the department's functions. That must continue and accelerate if we are to effectively support businesses, protect and create jobs. To complicate matters we had to deliver a 10 per cent reduction in our expenditure as part of the Comprehensive Spending Review. It has been a challenging time to meet increasing demands from industry for more support, while having to reduce our budget. Nevertheless, we have successfully reduced our expenditure by cutting overheads as well as funding for some non-core activities; while, at the same time, finding other creative ways, such as outsourcing and private-public partnerships, to deliver services more efficiently and at a lower cost. One such efficiency we delivered, against some opposition, was the outsourcing of the lifeguard service to the R.N.L.I. (Royal National Lifeboat Institution). It saved £80,000 per annum in running costs but it improved the standard of service, removed most capital costs and, additionally, provided jobs for 4 locals who were trained to be qualified R.N.L.I. lifeguards. Some of those Jersey-trained lifeguards are now working in Australia, but will return to guard Jersey beaches next year. I am told the R.N.L.I. expects to train more locals this coming year. I have been privileged to lead a highly-professional and dedicated team at Economic Development including my 2 hard-working and, may I say, wise Assistant Ministers. Under difficult circumstances we have delivered some important initiatives. The highlights have included the introduction of a Depositor Compensation Scheme, introducing a new Intellectual Property Law, working with industry to introduce new financial services products to assist them to remain competitive and to diversify into new markets. An example is the Foundations (Jersey) Law, which Guernsey is now seeking to follow. Outside of financial services we completely modernised the 40 year-old gambling laws and introduced the Gambling Commission to regulate the industry to better protect the young and the vulnerable. We appointed new leadership of the J.C.R.A. (Jersey Competition Regulatory Authority) to ensure a new Jersey focus to help create a more, competitive local economy. We even merged the Chief Executive role of the J.C.R.A. with Guernsey's Office of Utility Regulation, saving even more money. On the same theme, we appointed the Guernsey Airport Regulator to regulate the Jersey airport. We set up a joint Brussels office with Guernsey to lobby in the E.U. (European Union). We can and we must do more with Guernsey. We have reformed the Jersey Consumer Council with the help of Senator Breckon and we started to restructure the ports by appointing a group chief executive and an independent, private sector shadow board. This has already led to the merging of management teams at the airport and harbour to remove duplication and to reduce costs. I now want to see a strong business case presented for incorporation. We have delivered a new rural economy strategy which included adopting all but one of the recommendations from the Scrutiny Panel which is led by the Deputy of Grouville. Turning to the future, I have, in the Draft Economic Growth Strategy,

proposed a new direction and a new approach to achieve a more diversified and balanced economy. This will build upon the strengths and leverage opportunities provided by, among others, a digital economy. These are not simply fine words. Over the last 6 months, upon my instruction, Economic Development has been developing a business plan for a new body to develop and promote Jersey's digital economy. I call it Digital Jersey. It would have a board comprised of industry leaders and an annual budget of £300,000. It would also be the ideal vehicle to leverage the proposed substantial investment in broadband infrastructure. The Economic Growth Strategy is currently out to public consultation. The final version will come to this Assembly for debate early next year and the key elements will be embedded into the States' Strategic Plan. Over the last 3 years the backbone of our economy, our financial services sector, has experienced unprecedented challenges and, lest we be lulled into a false sense of security, in my opinion, the period of greatest challenge still lies ahead. As Minister for Economic Development I have both the domestic and international role in supporting financial services. A key objective now is to make sure that markets and legislative development are given the highest priority. This is vital as speed to market with new products is becoming more and more critical if we want to stay ahead of our competitors. Finally, I will, as a matter of priority, review the relative roles of the regulator, Jersey Finance and Government and, if necessary, propose changes that allow all 3 organisations to best support the growth of our key industries. Now, closer to home, Jersey Enterprises was established in 2008 to support small and medium-sized businesses. In addition, Jersey Business Venture is funded by Economic Development and undertakes much the same functions. Following extensive consultation and agreement by the Jersey Business Venture Board, I want to close both of these bodies and create an entirely new organisation called Business Jersey during the first quarter of next year. Business Jersey would take the best from both of these organisations, yet sit outside of Government with a private sector board and be grant-funded. This is a much more efficient and effective model to support small and medium-sized businesses in the Island. On a similar vein, I want to move Jersey Tourism outside of Government into a new structure called Visit Jersey to be operated in a similar way. The clear aim here is to let the private sector run these services, which is, of course, their forte. Meanwhile, Economic Development would concentrate on policy, strategy, development of legislation and oversight of regulation. The delivery bodies that I have described are not intended as a method to cut funding but instead to ensure that every pound of taxpayers' money is invested and delivers its maximum return. I should stress that tourism is an essential part of a diversified economy. To emphasise the point, tourism accounts for 40 per cent of the whole of the Economic Development budget currently. In recent weeks and months, with the helpful assistance of Senator Le Gresley, I have secured an additional £450,000 for the Tourism Development Fund. If re-appointed, I will bring a proposition to open up the Tourism Development Fund to private sector investment and thus leverage the capital available for greater returns. I want to see a renewed emphasis on event-led tourism, not funded totally from Government handouts but supplemented by sponsorship. If elected, I will continue to support the Battle of Flowers and the Air Display but, in addition, I will be proposing that we provide a far higher level of funding for emerging events which have a strong business plan such as Branchage. They will have to be events that can show self-funding capabilities within a defined period or which can demonstrate the potential to bring large numbers of visitors to the Island and thus economic benefit. Moving on, I believe that Economic Development should retain and expand direct responsibility for inward investment that currently sits with Jersey Enterprise.

[9:45]

Attracting low-footprint, high-value businesses to Jersey aids diversification and promotes job opportunities for locals. In 2010 we attracted 92 inward investment inquiries, converting 37 into business licences and creating 450 job opportunities as a result. This year there have been a further 29 business attracted and a further 101 job opportunities created. Only last week I met directors from an online business from the U.K. (United Kingdom) looking to establish a headquarters in

Jersey. This business was set up in 2005. It already turns over £100 million. It sells services online internationally and would employ, initially, 20 people locally. We need to actively attract more of these businesses but we are competing with jurisdictions who offer a range of attractive incentives. Even the U.K. is setting up enterprise zones. I want to see a Jersey version. I want to see relocation grants to inward investment businesses tied to the creation of employment and growth targets. I believe a Ministerial taskforce should be established, chaired by the Chief Minister, to co-ordinate across departments a package of incentives to encourage business to expand and employ staff; a taskforce to cut red tape and encourage investment. For example, we are already discussing the Social Security employee and employer contribution holidays for businesses employing those under 25. I believe that to truly stimulate the economy we should be considering measures like equity investment or loans for start-up businesses who wish to expand. We need to give businesses greater one-to-one support with an expanded mentor scheme. Much has been achieved in what has been the most difficult economic climate for a generation. There are clearly immense challenges ahead. Continuity is essential.

The Bailiff:

We come now to questions.

1.1.1 Deputy R.G. Le Hérissier of St. Saviour:

Notwithstanding that excellent list of existing and proposed initiatives and, again, notwithstanding the protestations of all the Senatorial candidates as to their undying loyalty to the agricultural industry, would the candidate not accept that the presence of only 2 States Members at the recent major agricultural conference was a desperate sign of the lack of interest in that industry in this House and what does he propose to do to rectify that matter?

Senator A.J.H. Maclean:

I agree with the Deputy it was disappointing there were not more States Members at that particular conference. The conference itself, I understand, was very positive. I myself would have liked to have been there but, unfortunately, I was unable to because of a pressing meeting with an international inward investment business and, unfortunately, my Assistant Minister who has responsibility was very unwell. But the industry itself is important. It has shown growth in recent years. In fact it is one of the few industries that has shown growth. I am fully committed, the department is fully committed and I think the rural initiative schemes and indeed the latest strategy demonstrate our commitment to the future of agriculture as part of a diversified economy.

1.1.2 Deputy C.F. Labey of Grouville:

My predecessor, through the States Assembly, got agreement to provide £10 million to tourism, yet 10 years later only £2 million, at best, has ever materialised. What measures will the Senator take to rectify this situation?

Senator A.J.H. Maclean:

I would like very much to have £10 million to help develop the economy. I think it would be extremely useful, particularly in the current climate, but we do have to be realistic. Money, unfortunately, does not grow on trees. What we have concentrated on doing is ensuring that we align the Economic Development Department to ensure that we spend our money as wisely as possible and get as big a return as we can for the investment we make. We have been successful getting more funding. The Tourism Development Fund additional money is one example. We will continue to work hard. I want to meet up with the Minister for Treasury and Resources as soon as possible, if elected, to try and get funding for Digital Jersey that I have referred to, £300,000. That type of investment is important and we will do our best to get as much as we can.

1.1.3 Deputy T.M. Pitman of St. Helier:

As the Minister is aware, I approached him about a potential project called Tall Ships on behalf of the Constable and some other bodies which does offer real potential for some economic development. I hear what he says but will he consider having an Assistant Minister just with the responsibility for tourism, because the perception is that we do not care enough about tourism and it is a perception I share?

Senator A.J.H. Maclean:

I felt at the beginning of this term that tourism was so important that I concentrated on it myself. I felt that doing that gave demonstration to the industry how important it was. It is very important. However, as far as appointing an Assistant Minister in the future, that is a consideration that I would certainly give. I will think very carefully as to how we deploy the Assistant Ministers and the management team at Economic Development to get the maximum returns over the next 3 years, which are going to be very challenging.

1.1.4 Deputy J.A. Martin of St. Helier:

Following on the theme of Assistant Ministers, the Senator made an excellent speech on the work of his last 2 Assistant Ministers. Can he confirm that his 2 new Assistant Ministers will be Senator Farnham and Deputy Baker?

Senator A.J.H. Maclean:

No, I cannot, I am afraid. I have made no commitment at all to appoint an Assistant Minister. Two people have spoken to me about the post and I have said if I am successful today then I am happy to sit down and talk to them afterwards, and indeed anybody else who is interested in this very important part of the States, which is developing our economy. I would be happy to talk to anyone but no commitments are made at this stage.

1.1.5 Deputy M. Tadier of St. Brelade:

Given the continuous pressure from external forces and the recent turn of events in fulfilment, does the candidate think that it is time that we move towards a situation where our economic sustainability is based upon something other than a zero per cent tax rate?

Senator A.J.H. Maclean:

I think the most important thing is that as an economy we need to be competitive. That is absolutely central and it is a central feature of the economic growth strategy that is coming forward. So we have to look to see what our most immediate competing jurisdictions are doing and align ourselves accordingly and make sure we are a step ahead.

1.1.6 Deputy S. Power of St. Brelade:

In the candidate's excellent speech I was listening keenly to hear a reference to France. Can I ask the candidate if he could summarise in a few brief words how often he has visited either Cherbourg, St. Lo or Caen, how often he has spoken to the Conseil Général de la Manche or the Conseil Régional La Basse-Normandie and how would he like to prioritise what I regard as a big economic opportunity in improving and extending trading links with our closest neighbour?

Senator A.J.H. Maclean:

The Deputy raises a very important point. We have, of course... and we fund the Bureau de Jersey which has offices in France and personnel in France. We continue to build links in all respects with our French neighbours and indeed we are seeing, from a tourism point of view, far more visitors coming to the Island. Indeed, developing those links and those visitors and the spend in the local economy is important. I have personally visited France over the last 3 years on 3 or 4 occasions. We have visited as a department far more frequently and indeed I used the services of the former Connétable of St. Ouen who was highly respected in the French regions and did a wonderful job as an ambassador for Economic Development and Jersey during that time.

1.1.7 Connétable P.J. Rondel of St. John:

If elected, what will the candidate do to put in place an improved shipping service for our travelling public whereby we get vessels that run on time without breakdowns, *et cetera*? Will the candidate confirm that the routes will be put out to tender when they fall due and not allow influences from outside the Island to dictate to us how our routes should be run?

Senator A.J.H. Maclean:

An air and sea routes policy is a key area of Economic Development. I agree with the Connétable that we have to continue to work hard. There have been problems with regard to our northern and southern routes with Condor in recent years. There have been great efforts by that operator to improve their services, notwithstanding their mechanical issues of late. We continue to work closely with them. There is an agreement in place, a service level agreement. We are looking to tighten that up when the routes come up for renewal in 2013. The decision with regard to tendering will be made at the latest by June of 2012. We are working towards a decision in conjunction with Guernsey but I can assure the Connétable that we will not be dictated to by anybody. It is the best interests of Jersey that I am interested in and we will ensure that we will deliver a service that meets that objective.

1.1.8 Senator F. du H. Le Gresley:

The candidate has presented us with an impressive list of achievements and aspirations, but what progress is being made for the creation of the long-overdue Financial Services Ombudsman Service?

Senator A.J.H. Maclean:

That is a good point and a good example, I may say. We have been working with Guernsey on this matter. It seemed sensible that we had a Pan-Channel Island ombudsman. It was an undertaking that was given to this House by me and I can say that a lot of work has been undertaken. However, we are applying for legislative law drafting time. I would imagine that a realistic timetable is the beginning of 2013 for the introduction of an ombudsman but, to give some peace of mind to the Senator and to Members, the discussions have been around backdating. So whenever it comes into force, the effects of the ombudsman would be backdated to when the process and the scheme was first conceived, which was the beginning of 2010. That is the current thought.

1.1.9 Connétable D.W. Mezbourian of St. Lawrence:

We have just heard that £450,000 has been secured in the last few weeks for the Tourism Development Fund. I would like to know where that money has been found. Also the proposed annual budget of £300,000 for Digital Jersey Board; what will not be funded?

Senator A.J.H. Maclean:

It is a very good question from the Connétable. Ensuring that money works appropriately and the fact that it does not grow on trees is important. The £450,000 funding for the Tourism Development Fund was funds that came effectively from carry-forwards that we got permission from the Treasury to reapply to our budget and to put into the Tourism Development Fund. As far as Digital Jersey is concerned, the £300,000 would be a discussion I would need to have with the Treasury. What we wish to do is to seek the support of Treasury, bearing in mind the proposed investment in telecoms infrastructure, to be able to leverage that through this new body by seeking additional funding from Treasury. If that is not possible then we would need to look at our budget. I believe this is an important initiative and I think we would need to look at our own budget. I believe we probably could fund it, but we would have to make cuts elsewhere and that is obviously, in this current economic climate, not the right decision to be making.

1.1.10 Deputy P.J.D. Ryan of St. John:

I think we would have a bit of a problem if we were not seeing growth in the agriculture industry, Senator. I would like to just ask you, we have heard a lot about tactical initiatives and they are very good. I am very impressed, but I have not heard a lot about his longer-term strategic aims and I wonder whether he shares my vision for turning Jersey into somewhat of an intellectual and a skills centre of excellence? I believe that, personally, is a very good long-term strategic aim and I wondered if he shares that view.

Senator A.J.H. Maclean:

I absolutely do. Unfortunately I only had 10 minutes and I barely got to the conclusion in any event. It is a very broad department at Economic Development, but skills and training are absolutely key. I form part of or sit on the Skills Executive with the Minister for Social Security and the Minister for Education, Sport and Culture. We have worked hard to develop skills and training. Schemes like Advance Work and Advance Plus have led to young people finding work, long-term employment. It is going to be even more important in the future that we deliver, not just demonstrate; that we can skill our young people to carry out the jobs in the Island and reduce the amount of imported labour that we have seen in the past. I think that is absolutely key. New industries and high-tech industries are a future for Jersey, which is why I have mentioned Digital Jersey as I have described it. The reason we have brought in the intellectual property laws was a reason. Creative industries is another huge area of opportunity for the Island and I could go on.

The Deputy of St. John:

Older people as well, please.

The Bailiff:

I am sorry. No supplementaries, Deputy, because there are others who wish to ask questions.

1.1.11 Deputy G.P. Southern of St. Helier:

Whether it is road fuel prices, food prices or postal services, will the candidate accept that competition in a small community does not bring down prices and that regulation is a better way forward?

Senator A.J.H. Maclean:

I am afraid I cannot agree with the Deputy. I think competition and the J.C.R.A. has delivered examples where competition has, in fact, reduced prices. I do accept there are difficulties in some areas with competition in a small jurisdiction and certainly the J.C.R.A. has had to go through a learning process, ensuring that it becomes fit for purpose for an Island community. I think the leadership in the J.C.R.A., which I referred to in my opening remarks, demonstrates now we are no longer looking at things like international mergers but we are concentrating on the local economy and matters that are important to small/medium-sized businesses in the Jersey. Driving prices lower is important for consumers. Ensuring the economy is competitive is essential from an export perspective and we need to do more work in that area.

[10:00]

1.1.12 Deputy J.M. Maçon of St. Saviour:

Does the candidate agree that the licensing legislation is long overdue for updating and, if successful, will the candidate make this a priority and if not, why not?

Senator A.J.H. Maclean:

I assume that the Deputy is referring to liquor licensing in particular. He is nodding, so I take that as a yes. It is an absolute priority. The difficulty in the past is that obviously other departments have a great deal of interest and different perspectives on liquor licensing. From Economic Development we have the business perspective very much in mind. Clearly the Minister for Home

Affairs will have the policing element and the Minister for Health and Social Services will be very concerned about the wellbeing of the local inhabitants. Getting agreement on these matters has not been easy but I can say that I have on my desk a proposed White Paper for a way forward. I felt it inappropriate in the dying days of the current administration to lodge that. My intention, if elected, is that I will do so very soon.

1.1.13 Deputy J.G. Reed of St. Ouen:

I would like to know what plans the candidate has to help local entrepreneurs develop their businesses so that they are able to maximise their contribution to the economy.

Senator A.J.H. Maclean:

Well, the plans started with the introduction in 2008 of Jersey Enterprise. The creation of Business Jersey, which is bringing together the best of Jersey Business Venture and Jersey Enterprise, is there to support businesses on the Island, to help them to grow. I have listed some ideas about ways in which we can hopefully remove some red tape and bureaucracy. We need to remove barriers so the businesses can invest and so the businesses can grow. Ensuring that they have the skills and training necessary in the workforce by training our people properly, again, is an absolutely essential element. There is a lot that we can do. There is a lot we have been doing and this is an area, the small and medium-sized business development, that will, without doubt, underpin the future success and growth of the economy.

1.1.14 Connétable A.S. Crowcroft of St. Helier:

Will the Minister pledge to reverse the year-on-year cutting of the event-led tourism budgets so that groups like the Band of the Island of Jersey, the Motor Festival, the Battle of Flowers and so on can start to grow in size rather than being cut every year?

Senator A.J.H. Maclean:

I thought I made a fairly clear intention in my opening remarks about my views of event-led tourism and, indeed, small events such as the ones that the Connétable has referred. I spoke only last night to the Motorcycle and Light Car Club president. It is quite extraordinary what small organisations do in terms of bringing people to the Island. He was telling me the number that came for the recent rally in the Island, the number of bed nights that that created. What we have to do, though, with our limited resources is make certain that we appropriately target our funding. There need to be good business plans and we need to work with organisations to ensure that we help them maximise the opportunities that they can, without doubt, deliver. Event-led tourism is key.

1.1.15 Deputy J.H. Young of St. Brelade:

Would the candidate advise the Assembly whether he has an opinion on the reports in the business press of the success of the finance promotion arm of our sister Islands and whether he has any plans to review Jersey Finance perhaps to enhance a success in bringing new business?

Senator A.J.H. Maclean:

I think what Guernsey is particularly good at is talking themselves up. They promote themselves very well in that regard. I do not necessarily think that the statistics we see coming out of Guernsey truly reflect what is going on, on the ground. We do have a very effective organisation in Jersey Finance. We have put more funding into them in recent years. We will continue to support them as we open up new markets and we look to develop in Asia, Asia-Pacific and so on. But I do not think we should be misled by what appears to be happening elsewhere. I am happy to learn and will always listen to and learn from good ideas that come from other jurisdictions, but it is not always what it seems.

1.1.16 Senator S.C. Ferguson:

Small businesses complain about the red tape. One businessman complains about the 48 different returns he has to make annually to the Government. What steps is the candidate taking to review the red tape?

Senator A.J.H. Maclean:

I am really pleased the Senator asked that question. I also feel strongly about red tape and bureaucracy. I believe we do need to make life as simple and easy as possible for businesses so they can expand and grow. However, I will say to the Senator that I pushed my department to start a review of red tape and bureaucracy. We contacted all the major business organisations in Jersey to get their feedback, to find out where indeed they saw the problems. We waited 6 months to get a response, 6 months. I have just had it. We are reviewing it now and we will move on this matter and we will do it in conjunction, if I am elected, with other Ministers on the Council of Ministers, but it is not always Government that make mistakes. The private sector does as well.

Senator S.C. Ferguson:

They are too busy filling out forms, I think, to respond.

1.1.17 Deputy K.C. Lewis of St. Saviour:

If re-elected, would the candidate be encouraging more low-cost airlines?

Senator A.J.H. Maclean:

Absolutely. We are very proud of the network of routes we have, both to the north and also, to a lesser degree, to the south. International development of tourism from Europe and elsewhere is important. Obviously air routes are absolutely essential. Low-cost airlines: we have worked hard to get the likes of easyJet here. They have been expanding. We have been supporting them and we will continue to support all the other airlines in the hope that we can get further route expansion.

1.1.18 Deputy S. Pitman of St. Helier:

I would like to know what the candidate's plans are and what he has done so far to incentivise businesses to take up local people before immigrants.

Senator A.J.H. Maclean:

We have done quite a lot of work. Again, this is a cross-departmental issue. We work closely with Social Security. Clearly when businesses make applications under the Regulation of Undertakings and Development Law and they want an element of non-locally-qualified staff we make sure that they go down to Social Security. We make sure they go through all the appropriate hoops to target employing local people. We have to continue to do that. We have been looking closely, as a result of the threats to the low-value consignment relief industry, as to how some of those staff can be not only retrained but also redeployed. It is interesting to see that there are 2,500 non-locally-qualified individuals working in hospitality and agricultural areas. There are opportunities to get our locally-qualified people in to some of these jobs and we need to work very closely to try and join-up all those areas.

1.1.19 Deputy T.A. Vallois of St. Saviour:

Does the candidate believe that the actions in the anti-inflation strategy have been fully implemented? If not, why not and what would he do to resolve this?

The Bailiff:

That is a warning, 2 minutes.

Senator A.J.H. Maclean:

Sorry, I thought I was off the hook. [Laughter] As such, Sir, I am afraid I did not listen fully to the end of the question. I wonder if the Deputy could ...

Deputy T.A. Vallois:

Oh, dear. I will start again then, shall I? Does the candidate believe that the actions in the anti-inflation strategy have been fully implemented? If not, why not and what would he do to resolve this?

Senator A.J.H. Maclean:

I think, in many respects, they have. I mean inflation is very difficult to deal with for the Island economy. A lot of inflation that we suffer here is imported and, as such, it is something beyond our control. We have, of course, worked to reform the Consumer Council. We work with the Jersey Competition Regulatory Authority. All these areas will help to try and tackle the inflation. Inflation and the cost to the local consumers is a significant problem. It is rising and we need to do all we can to try and bear down on it and bear down on costs. Obviously rising salaries are an issue as well. Import costs are an issue. It is a matter that has got and will continue to get full attention of the Council of Ministers.

1.1.20 Senator L.J. Farnham:

The candidate mentioned in his opening speech that he is fully behind the formation of a body to market Jersey tourism. Can he indicate or assure the Assembly as to when this will take place? Hopefully it will be in 2012 as the industry is very keen to see this going.

Senator A.J.H. Maclean:

As the Senator knows, work has been ongoing for some time on this matter. We believe that great progress has been made and I would hope that at the end of the first quarter of next year we will be in a position to progress that plan. Clearly, from a timing point of view, we need to get it in as early as possible so we can influence the budgets for the following year.

The Bailiff:

I ask Senator Maclean to retire with the Assistant Greffier and we ask for Deputy Higgins to be brought in. I now invite Deputy Higgins to address the Assembly.

1.2. Deputy M.R. Higgins of St. Helier:

Yesterday the States appointed its Minister for Treasury and Resources and this morning you will choose your Minister for Economic Development. Both of these posts are critical appointments because these 2 Ministers run the 2 States departments which are responsible for the economic wellbeing of the Island for, without a sustained and prosperous economy, we will not be able to provide the education, health, public safety and social services that our citizens need and want or the standards of living that they both enjoy and hope to enjoy. As former U.S. (United States) President Bill Clinton once succinctly put it: "It is the economy, stupid" because if the economy is not doing well then nothing else will. Everything else suffers, including the political fortune of the individual politicians and political parties. Now, economists measure how well an economy is doing at a particular period or over time by using a number of different measures, the result of which is called the rate of economic growth. In Jersey we use a measure known as gross value added, which measures the value of employment - that is, the total wages of the workforce which is calculated by counting the number of workers and their rates of pay - and the value of the profitability of businesses based on the Island. Now, as Members are aware, economies do not grow in straight lines. The economic cycle can cause them to grow and contract, but the objective is to have a rising trend rate by which I mean an upward rate of growth over time so that we achieve higher standards of living for all our citizens. In the U.K. the trend rate is approximately 2.5 per cent, although I have said in a given year the rate of growth may be positive or negative. So how have we fared in Jersey? In the post-war period, and particularly in the 1980s and 1990s, Jersey's economy achieved substantial economic growth, driven particularly by the growth of the financial services industry. In the last 10 years, however, the picture has been different. During the last economic cycle, which is measured from the peak in 2000 to the peak in 2007, the economy

contracted by 0.5 per cent caused primarily by a 30 per cent fall in bank profits over that period, whereas the non-financial components of G.V.A. (Gross Value Added) grew by around 13 per cent. Now, these figures illustrate the fact that Jersey's current economic fortune are inextricably linked to its dominant industry, the finance industry, and the importance of bank profits in particular. When the industry is performing well the Island achieves high economic growth figures. Then when it is doing poorly we experience negative figures shown, as the following figures show. Between 1998 and 2000 the G.V.A. of the finance industry grew by 18 per cent in real terms and this was reflected in the Island's total G.V.A. which increased by 9 per cent over the same period; whereas, when G.V.A. in the finance sector fell by minus 20 per cent between 2000 and 2004 the total G.V.A. fell by minus 11 per cent.

[10:15]

But where are we now? The level of economic activity in Jersey measured by G.V.A. fell 5 per cent in real terms in 2010, again primarily due to the sharp fall in bank profits which were affected by record low interest rates being generated on their deposits. The F.P.P.'s (Fiscal Policy Panel) latest report suggests that we will record modest growth of between zero and 3 per cent this year but, as far as the future is concerned, they have revised their central estimate down in 2012 to minus 2 per cent to 2 per cent with the risks weighted on the downside. Now, economic forecasts are notoriously difficult to make and they are very much dependant on labour market conditions, average earnings, future path of interest rates, future regulatory changes, global financial markets and economic conditions, but the prospects are not good. In their latest update they stated that the global economic outlook has deteriorated markedly and that global economic growth figures have been revised downward so that the speed and extent of the global recovery is now more uncertain than ever and that this is likely to hold back Jersey's recovery, although it is hard to quantify the results. They say that the deteriorating international outlook suggests that the prospects for growth in measured activity in the Island in 2012 have been reduced. Their recommendation is that Jersey should plan on the basis of a global recovery that will be more fragile and more drawn out than expected and this is one of the consequences - this is not their quote, it is my quote - of having an economy based on one dominant industry. Now, the panel has also identified a number of other uncertainties going forward. One is the uncertainty of the future source of economic productivity growth, the path of international financial regulation, the assessment of the Island's Zero/Ten tax regime and managing the impacts of an ageing population. Now, they have said that the economic growth strategy that the Economic Development Department has produced contains some interesting ideas but that these would need to be translated into concrete proposals and given time to work before any impact can be expected on growth. So that is the context in which the Economic Development Department will be operating over the next few years, but what is its role? I believe the role of the Economic Development Department is to support the economy and to help it achieve sustained economic growth. I do not believe it is the role of the department to pick winners but to create the right conditions where businessman and entrepreneurs can flourish. Now, this may mean that we provide seedcorn money for certain developments; we provide a legislative framework or other forms of assistance. While the Economic Development Department has been developing a strategy that concentrates on high productivity, low-footprint industries and hopes to develop the intellectual property, e-gaming and I.C.T. (Information and Communications Technology) industries, these will take time to develop and may depend on conditions in our major markets or the activities of our competitors. I believe that in the short term we could generate growth through event-led tourism, recreation fishing which, believe it or not, will generate even more money than the existing fishing industry generates, aquaculture and aircraft registration. Certainly recreational fishing and aquaculture will help develop a sustainable use of the sea and employment. Now, I am standing for this position because I feel that I have the qualifications, experience and knowledge to do the job and meet many of the challenges that the Island and the department shall be facing over the next 3 years. Throughout my working career I have worked in

many of the areas that are covered by the Economic Development Department with, I think, the exception of agriculture - and I learned much of that on the Economic Affairs Scrutiny Panel which I chaired. Deputy Labey, for example, did an excellent report on agriculture. If am elected to the position I will be appointing an Assistant Minister who will have knowledge of the agriculture industry and act as a champion for them. Secondly, I am standing because I believe unemployment - except transitional unemployment where one person moves from one job to another and takes some time off in between - is an evil and because of that I desperately want to find ways to revive the Jersey economy and get the unemployed back to work. Thirdly, I want to help develop a sustainable, balanced and diversified economy that provides resilience against shocks and provides work and a good standard of living for all Islanders. Fourthly, because I have been unhappy with the political control of this department which has led to some waste and inefficiency, which, in the area of the airport alone, has cost taxpayers at least £1.5 million, and for their failure to support, genuinely, areas that could generate economic growth and employment. If I can expand on these points for a moment; in terms of my qualifications I hold a Higher National Certificate in Business Studies, a Bachelor of Science in Economics Honours Degree from the University of London, 2 post-graduate qualifications, a Purchasing Diploma and a Post-Graduate Certificate in Education, and I was a Member of the Chartered Institute of Purchasing and Supply. In terms of work experience, I have worked 4 years as a buyer, 2 years in the aircraft industry, 2 years with McAlpines at their head office building motorways, pipelines, office blocks and so on. I spent 18 years as a lecturer in economics, law and banking at Highlands College and I taught thousands of Island students on professional courses. That was followed by 12 years with the Financial Services Commission where I specialised in legal and policy matters and was responsible for producing legislation such as a Depositor Compensation Scheme and a Financial Services Ombudsman Scheme. The latter one we are finally going to get, hopefully, early next year and it is basically the one I wrote in 2003. I was also responsible for negotiations with other regulators and with Her Majesty's Treasury, the latter being when we were negotiating designated territory status for Jersey-recognised funds.

The Bailiff:

Thank you very much, Deputy. We come now to questions.

1.2.1 Deputy M. Tadier:

Was Jersey right to follow Guernsey and the Isle of Man in adopting the controversial Zero/Ten model and how would he have dealt with negotiations both with these Islands and the U.K. had he been in office?

Deputy M.R. Higgins:

The Zero/Ten regime was effectively forced on the Island in the sense that when the various types of unfair taxation - international business companies, exempt companies - were deemed harmful the Isle of Man said they were going to use their V.A.T. (Value Added Tax) receipts to try and get a competitive advantage on the Island and both Guernsey and Jersey followed suit. I might add that the economic conditions have changed now and the Isle of Man is also in trouble because the U.K. has pulled back all their V.A.T. receipts, about £200 million worth. I do believe that, rather than following the policy we are at the moment, we should be negotiating with Guernsey and the Isle of Man to try and bring in, let us say, a 10 per cent corporation tax rate, which would benefit all 3 economics and stop the competition.

1.2.2 Deputy K.C. Lewis:

Although we have excellent initiatives such as Advance to Work, what strategies would the candidate put in place to prioritise our young people in the workplace?

Deputy M.R. Higgins:

I believe that we have got to work upon this. There is nothing worse than unemployment because it destroys self-esteem. It also creates a situation where if people have been applying for 40 or 50 jobs and cannot get them they become demoralised. Kids do not get out of bed until late in the morning and they think: "Why bother?" The longer this goes on, the harder it will be to employ them because any employer, when the economy does pick up, will pick new school leavers and not want the others. Therefore, I believe that we have got to engage in various projects with both public and private sectors to get them doing extended work periods and pay them their income support while they are doing it so that they have got income and they can get training and also a reference at the end of the period. It is schemes like that I would like to pursue.

1.2.3 Senator F. du H. Le Gresley:

Does the candidate support the current policy of devolving arrears of responsibility of the Economic Development Department to private boards and if not, why not?

Deputy M.R. Higgins:

From a political perspective and an economic point of view, no. For example, the Economic Affairs Scrutiny Panel looked at the Public-Private Partnership for tourism and it just did not stack-up. In fact, when we spoke with both parties they were on different hymn sheets. They had different views about staffing, about funding and no one was going to guarantee the funding going forward. In other areas I am just not convinced. I will work with the private sector and if that is the best solution then, yes, I would recommend that they are put in that way. But as a general rule I think each case needs to be looked at on its merits.

1.2.4 Deputy R.G. Le Hérisier:

How will the candidate deal with the apparent rundown of the fulfilment industry and does he believe labour-intensive industries are, in any event, the way forward?

Deputy M.R. Higgins:

I think so far as fulfilment is concerned, if I am totally honest, I do not think we have got a hope of saving that industry, mainly because it is outside our control. I know that people have talked about legal challenges and I even heard on the radio this morning that someone was trying to get a petition in the U.K. Parliament. They need 100,000 signature; they had 100 after 4 weeks. The truth of the matter is the U.K. Government is concerned about U.K. citizens and U.K. business. They are not concerned about us. So I do not think we can help them. In terms of labour-orientated industries, we need them. Not everybody in this Island works in finance or as a lawyer or as an accountant. We have to have jobs for everybody else and, therefore, some of the things I have mentioned, whether it be event-led tourism, whether it be recreational fishing, whether it be aquaculture ... there are other things that we can do to general jobs and provide employment for these people who are out of work now and will be out of work in the fulfilment industry.

1.2.5 Senator S.C. Ferguson:

Small businesses complain about the amount of red tape. One businessman complains about the 48 different returns he has to make to Government. What steps is the candidate taking to review the red tape?

Deputy M.R. Higgins:

I happen to agree with them. Even in the limited area of the Air Display or other things that I have dealt with while in the Island, I am amazed at the amount of red tape and bureaucracy. I get frustrated with it and I can imagine businesses get frustrated with it as well. So, yes, I would like to have a look at the forms and the bureaucracy that go with things to try and make things easier but that does not mean to say, as some employers will say: "Let us do away with employment rights and cut down the ability to hire and fire people." There is a degree to which you go.

1.2.6 The Connétable of St. John:

If elected, what will the candidate do to put in place an improved shipping service for our travelling public whereby, at the present, we get vessels that do not run on time and seem to have continual breakdowns? Will the candidate confirm that the routes will be put out to tender and not be allowed to be influenced by outside influences when the tendering gets put in place?

Deputy M.R. Higgins:

As someone who has been affected by the poor scheduling and timetable, yes, I do believe that we need a better service than we are getting and I would put it out to tender. Now, there is the problem obviously; it is not a profitable route for 2. But we have got to have very, very good service level agreements and if they fail to meet them, whoever is appointed, then they are replaced.

1.2.7 Connétable J.M. Refault of St. Peter:

May I ask whether the candidate, if elected to E.D.D. (Economic Development Department) and continues to run the International Air Display, sees a conflict given that E.D.D. sponsors the display?

Deputy M.R. Higgins:

I expected this question because we obviously had it when I was chairman of Economic Affairs. What I would do is speak with the Attorney General and Solicitor General and I would delegate responsibility to an Assistant Minister for any area that I would be affected or conflicted by. Therefore, it would not be my decision and it would be totally open and transparent.

1.2.8 Deputy G.P. Southern:

In a small economy like ours, whether it is road fuel prices, supermarkets or postal services, does the candidate agree that competition does not bring down prices, but a greater part should be regulation rather than competition?

Deputy M.R. Higgins:

I agree and, I must admit, one of the things I would institute is a review of the Competition Regulatory Authority which I think has let this Island down very, very badly. I know it has been a perennial sort of problem but the idea of shipping costs to the Island, why is it that we are paying so much in this Island for bringing goods to it? Why is it that retailers are charging the U.K. V.A.T. rate? They are not paying the U.K. taxman. They are absorbing those extra profit margins. Why is the consumer being ripped off? I would certainly be looking very closely at consumer protection issues and competition issues.

1.2.9 Connétable J. Gallichan of St. Mary:

A Guernsey Deputy was criticised recently for suggesting that visitors might find it hard to get the true Guernsey experience due to the high levels of immigrant labour in the hospitality industry. I would be interested to hear the candidate's views on the contributions made to the tourism industry by our own immigrant workforce.

Deputy M.R. Higgins:

There are 2 questions here. I would say that many of the people who work in the hospitality industry do an excellent job and a lot of the work would not be done otherwise. But I am, on another level, concerned about employment in this Island and employment of locals. Therefore, I certainly am one of the people who is in favour work permits. It may not be popular with my colleagues but certainly the whole migration and population policy needs to be looked at.

[10:30]

1.2.10 Deputy J.H. Young:

The candidate has emphasised, rightly, the importance of recreational fishing. Could I ask the candidate to confirm to the Assembly whether he agrees that our commercial fishing industry is important to the Island for sustainability and, if he were elected, could he give an assurance that he would act to try and provide access to Guernsey under their new licensing regime?

Deputy M.R. Higgins:

Taking those in parts, commercial fishing and recreational fishing have a place in the Island and I would like to see both supported. However, one of the things I would do is take away from Economic Development is responsibility for the Fisheries Panel and I would hand that over to the Environment Department because I believe it is a resource that needs to be managed sustainably for both commercial fisherman and recreational fisherman. There has been evidence of over-fishing of certain species. So far as the fisheries thing would be with Guernsey, yes, negotiate with them but my understanding from what I have read of the thing is that there is provision for Jersey fishermen who have traditionally worked in the industry to get access to Guernsey waters. I know there has been hostility between the 2 and I have to look in detail at it and certainly if I felt that ours were being disadvantaged, I would up the cause.

1.2.11 Deputy S. Power:

Could the candidate give the Assembly an indication of how he might consider prioritising and improving our trading links with our nearest neighbour, the Normandy Peninsula, and has he had a chance in the last almost 3 years when he was on Economic Scrutiny to visit any representatives of the Conseil Général de la Manche or the Conseil Regional La Basse-Normandie?

Deputy M.R. Higgins:

In answering the last question first, no, we did not but we had plenty of other things to deal with. However, I would say I would welcome closer links with our French neighbours if not only to try and see if we can drive down prices on this Island and make a better deal for the citizens of this Island and businesses.

1.2.12 The Deputy of Grouville:

What does the candidate feel about the Economic Development Department doing what it can to uphold a States decision taken 10 years ago to fund tourism to the tune of £10 million when only £2 million materialised, and what would he do to rectify the situation?

Deputy M.R. Higgins:

I believe, as I think most Members know, very much in tourism. It is an important industry and certainly I am a firm believer in event-led tourism, and one of my criticisms of the Economic Development Department and the Ministers has been their lip service to this particular industry. There is a lot of work going to be generated and a lot of income can be brought into the Island. I mentioned recreational fishing. You can tie that in with tourism because it brings people into the Island who are spending. In my time, I have brought many propositions to politicians, including former Presidents of Tourism involving a whole range of activities that we could have for most of the year, and many of them are highly successful elsewhere and I believe they could be transplanted here. As far as the development fund is concerned, it needs to have proper funding and it needs also to be able to help private sector people as well as public and charitable events. We need to get more investment in the industry. It is certainly likely to be one of our important industries over the next few years while the finance industry and banking in particular is suffering.

1.2.13 Deputy T.M. Pitman:

Much on the same thing, does the candidate see any potential for closer co-operation with Guernsey and perhaps the other Islands in promoting tourism as a joint operation to boost our economy?

Deputy M.R. Higgins:

I do, and I have worked with colleagues in Guernsey and the Isle of Man in the past in financial regulation. What I will say though is there is still an inter-Island rivalry and trying to get co-operation is very, very difficult. Not having been born here, I do not have the same hang-ups and I would hope that we might overcome some of the hang-ups they have in Guernsey about co-operating with us.

1.2.14 Deputy J.M. Maçon:

Does the candidate agree that the liquor licensing legislation is long overdue of updating, and if successful will the candidate make this a priority and if not, why not?

Deputy M.R. Higgins:

The liquor licensing regulations are in need of revision, as are a number of other regulatory areas of the Economic Development Department, including dealing with take away operations which have become the bane of many Islanders because of their activities. Yes, I would be looking at the whole of the regulatory area and there are others as well. I would like to have a look at lawyers' fees which I am sure that everyone would appreciate me doing and I think they are grossly ... I was going to say extortionate but they will be certainly on to me tomorrow about that.

1.2.15 The Connétable of St. Lawrence:

Very sadly we have just heard from the candidate that our prospects are not good. What does he view as positive about our economic prospects?

Deputy M.R. Higgins:

I know I am developing, I think, a reputation for being a voice of doom. The truth of the matter is maybe it is the opposite of the spin that we have been having from everybody else. I believe in telling people what the situation is and I might add that if I am elected, I will be open and transparent, and I will tell people what the facts are. I hate spin and that is one of the things that has destroyed the credibility of politicians in this Island. So in terms of what is good, I do believe it is the people that we have and the entrepreneurship that we have got on the Island. As far as finance is concerned, if you are basing your economy on one industry, your fortunes are tied to that and if, for example, the banking sector is depending upon the interest raised against bank deposits, we do not control that. Interest rates are determined by the Bank of England. There are also regulatory changes that are taking place determined by others. We have to fight for those things but what I would hope is that with the spirit and entrepreneurial skills that we have, we can develop new industries plus some of the ones I have mentioned and overcome the problems we are going to be facing.

1.2.16 Senator P.M. Bailhache:

May I follow up that question from the Constable, and press the candidate for his views as to whether he has any optimism whatsoever about the economic prospects for the Island?

Deputy M.R. Higgins:

I do, and okay, maybe I have given the wrong impression because when we talk about the finance industry it is diverse. The fund side has been doing okay. We have obviously businesses on the plus side and it is possible we may do very well on intellectual property rights and so forth. So there are areas that are doing better than others but if we look at the figures, we are going through a bad period - and even the F.P.P. says things are going to be rocky for a while - I am telling you the truth. It may not be appreciated but it is the consequence of not having a balanced and diversified economy. Had we had that ... look at Guernsey and look at the Isle of Man, they are doing better than we are and they are doing better because their economy is more diversified.

1.2.17 Deputy K.L. Moore of St. Peter:

My question follows on quite nicely from your last point as I would like to know what the candidate would like to do to encourage new and diversified industries in our Island.

Deputy M.R. Higgins:

I think the main thing is to have an open mind and to work with the people who want to develop these new industries, and if things require seedcorn money, you have to almost experiment to try and find that. It is not the role of Government to pick winners. It is very, very difficult. I have seen examples when I was studying economics where Governments poured millions into different areas or into different industries and it failed miserably. It is creating the conditions. So it is facilitating people who want to come into other business and try to assist them. Some are going to work. Some are not but we have to try.

1.2.18 Senator P.F.C. Ozouf:

Could the candidate explain how he reconciles his observations about the strength of the Jersey economy compared with the Isle of Man with significantly lower G.D.P. (Gross Domestic Product) *per capita* and our public finances in Jersey which is significantly stronger than both Guernsey and the Isle of Man? How does he reconcile that statement that we are doing worse?

Deputy M.R. Higgins:

We are doing worse in terms of relatively ... okay, in terms of banking, banking has generated - there is no doubt about it - large sums of money for the Island when the economy is booming and that industry is doing well. At the present time, their economies have not fallen in terms of G.V.A. figures. They have not gone as negative as we have and therefore... and part of it is the fact the Isle of Man has got ... okay, they had a film industry, they have manufacturing. Guernsey has got other activities as well in that way, so not all the rates are quite in the same basket. We have the highest concentration of financial services than any of them.

1.2.19 Deputy R.G. Le Hérissier:

Could the candidate outline in more detail than his initial speech his vision for the future of Jersey agriculture and horticulture?

Deputy M.R. Higgins:

In terms of agriculture, the strategy has been going forward but the industry feels neglected. They do not have a champion. There are questions about the figures. There have been a lot of issues around agriculture and we need to work with the industry to develop it. In terms of aquaculture, we do have, for example, the mussel beds and we have scallop fishing and there are other types. We could develop that and generate a lot more money than we are. In the same way that these ... okay, all this is not something that we could produce in a mass way but there are various types of shellfish or whatever that we can culture, rather than fish, and therefore we can make money for the Island. It is fish farming, yes.

1.2.20 Deputy S. Power:

Would the candidate support or will he oppose an application for a French supermarket group to open in Jersey backed with a daily ro-ro (roll-on roll-off) freight link to Cherbourg?

Deputy M.R. Higgins:

I think my inclination would be to say: "Yes", because we seem to be hung up on this. There are certain things we are told such as we have too many supermarkets but if this results in lower prices for consumers, yes, I would support it.

1.2.21 Senator P.F.C. Ozouf:

The candidate claims that he is an economist. Has he actually studied the accounts of the Isle of Man and Guernsey? Can he say why it is that our economy is less strong than both of those and does he not understand that both of those jurisdictions have deficits which they must deal with?

Deputy M.R. Higgins:

I have not looked at them recently. However, what I will say, yes, they do have deficits but they are not in the same position we are. We, I think, are in a worse position than they are, and yes, I have studied ... I have an economics degree. I have studied economics. I have a far greater, I think, understanding than the Senator has of economics.

1.2.22 Deputy M. Tadier:

We heard yesterday that 27 per cent of our housing stock is substandard but a waiting list of 425 currently, and so does the Minister agree that the success of a society should not be judged simply in terms of G.D.P. or in Jersey's case G.V.A. but in the round?

Deputy M.R. Higgins:

Yes, I do and in fact just going to the housing thing, I think if we are going to be investing and trying to help the construction industry, we are talking about investment, we are talking capital investment, and I would invest the money we have in housing. Let us do 2 things, get the construction industry working and house people who are in substandard accommodation or have been waiting far too long. So I would spend a lot of the money that we are planning to inject in the economy into that particular area of operation.

1.2.23 The Connétable of St. John:

The candidate may be aware that yesterday I put questions about commercial property at harbours looking for a rent increase of some 50 per cent. How will the candidate deal with these tenants given that Property Holdings have a considerable say in what the rents would be? As this comes under his remit, how will he deal with it?

Deputy M.R. Higgins:

I think I would say that I will review the rises and look at what is going on. I am not aware of what the situation is. I will have to look at the situation but I am prepared to review it and I do think a 50 per cent rise seems to be rather excessive but I do not have the full facts.

1.2.24 The Deputy of Grouville:

What does the candidate feel about merging the Culture portfolio, currently sitting with Education, Sport and Culture, with Tourism?

Deputy M.R. Higgins:

I would think that that is a logical fit. I know that we have plenty of cultural things and in fact many people come to our Island because not only of the buildings, but in terms of the activities. If you look at culture in the round, I think we could generate a lot of tourism from it, so I think it fits nicely.

Deputy K.C. Lewis:

Thank you very much. [Laughter]

The Bailiff:

Beaten by the bell.

Deputy M.R. Higgins:

I like that question best. [Laughter]

The Bailiff:

Very well, then we will ask for Senator A.J.H. Maclean to come back to the Chamber.

[10:45]

Very well, then, if we could distribute ballot papers please? I have now received the results of the ballot for the Minister for Economic Development and the votes cast are as follows, Senator Maclean 38 votes, Deputy Higgins 12 votes, and I therefore declare that Senator Maclean is elected to the office. **[Approbation]**

Deputy M.R. Higgins:

Could I just say a word? Thank you to Members for voting for me, and to give my congratulations to Senator Maclean.

Senator A.J.H. Maclean:

If I may, I would also just like to thank Members who supported me and even those who did not, I look forward to working with everybody in the Assembly over the next 3 years. We have a very challenging time and we do need to work together. Thank you.

2. Minister for Home Affairs

The Bailiff:

Very well, then we come next to Home Affairs.

Senator I.J. Gorst:

Indeed, Sir, and I should be pleased to nominate Senator Ian Le Marquand. Thank you.

The Bailiff:

If that nomination seconded? **[Seconded]** Any other nominations?

Senator A. Breckon:

Yes, sir, I would like to propose Deputy Judy Martin.

The Bailiff:

Is that nomination seconded? **[Seconded]** Any other nominations? Very well, we have 2 nominations so I invite Deputy Martin to go with the Assistant Greffier. Yes, then I invite Senator Le Marquand to address the Assembly.

2.1 Senator B.I. Le Marquand:

The core of the work of the Home Affairs Department is in the area of public safety, which is the police, the prison, the fire service and Customs and Immigration. There are other related areas like Building a Safer Society which is about risk reduction and there is financing of the Territorial Army Unit and the very small Superintendent Registrar's Department. Three years ago when I stood here asking this Assembly to entrust me with the political oversight of this important department, I concentrated on the crime and the effects of crime sides of things because that is what I understood well from my previous work as a magistrate. Today, I am able to return to the Assembly saying I understand all the areas of Home Affairs very well and I look forward to detailed questions in the different areas; but what have I achieved or what has the department achieved during the last 3 years? The most major change has been the massive cultural shift in the police force. I inherited a police force whose leadership was in disarray and now we have strong and very popular leadership. I inherited a police force which could have been described as professional but remote, and now we have a force which is still professional but also visible in a

reassuring way and even friendly, although in relation to offenders they are also resolute. The white shirts and the bicycles and motorcycles have returned, and even the way in which officers view themselves, I believe, has started to change. The new police headquarters building was very nearly achieved but not quite, but instead we have a better proposal in terms of the final building with everything on one site, and I want to thank my colleague, the Minister for Treasury and Resources, for the excellent work that he and his colleagues have done, the priority they have given to putting this back on track. I thank him very much. Also I must apologise that in the heat of the moment and the drama of the moment yesterday, I forgot to congratulate him, and I do, on returning as Minister for Treasury and Resources. At the same time, crime figures have continued to fall. From the period until 19th of October this year, they were down by 12 per cent compared with last year. In terms of legislation, I have just lodged a draft Police Force Law which will bring in the Police Authority. That proposal has been around for about 15 years and there have been very difficult problems to solve. I also piloted through the Sex Offenders Law containing the necessary increased budget, and last week I have signed Ministerial Orders, which mean it is now fully implemented. This is a major safeguard against the predatory activities of paedophiles. At the prison, the 2 new wings were completed and a new visitor's centre and staff accommodation are well underway, and despite the C.S.R., there has been no significant reduction in the training and rehabilitation programme. I piloted through the Repatriation of Prisoners Law allowing for foreign prisoners to serve their sentences in their home country at no expense to Jersey. There is still a lot of work to do here so that this can be implemented. There should also be a knock-on side effect in terms of more U.K. prisoners serving their sentences in the U.K. at U.K. expense. The new Fire and Rescue Law was passed recently and has just received Privy Council approval, and there are plans for improvement to the fire safety legislation which are well advanced. The new Explosives Law is also very well advanced and I hope to lodge in the next 3 months. I recently reviewed the guidelines in relation to work permits issued to non-E.U. nationals, and frankly in the light of the current threat to the fulfilment industry I am going to have to do that again, and to tighten-up further in some areas. I am also in conversation with the new Lieutenant-Governor in relation to a change to his immigration guidelines which, if implemented, will make a further major improvement. Alongside that I have worked with other members of the Child Policy Group, I have been one of the 3 Ministers there, on a new strategy document and work on a new youth justice policy is well under way. There are also a lot of other things in progress which need to be brought to fruition, and a lot of other things that have been achieved. I have dealt with the major achievements. I can honestly say, as I did in response to a question yesterday that all the Home Affairs Departments are working well, and we are pretty well on target to deliver the C.S.R. savings, which I have promised. We are not quite there yet but we have been saving money in earlier years so that we can carry that forward hopefully with the approval of the Minister for Treasury and Resources and achieve the savings that we need. There is, however, one piece of bad news which is that I have lost my excellent Assistant Minister, Deputy Hilton, who has decided to move on. If reappointed I shall be in great need of an enthusiastic, capable and energetic Assistant Minister to replace her, and that will be a hard job. So what of the future? There is still a lot to do. There is the completion of the various pieces of work in progress. Some will be achievable during the next 3 years and some will not. The most important pieces of work are the work on the repatriation of prisoners implementation, making the Police Authority a reality and the Explosives Law, and also the very elusive change of arrangements for the custody of young offenders aged under 17. That is something that I have been trying to achieve for a very long time.

[11:00]

We have the agreement in principle in the children's policy group on that but still face technical problems. Home Affairs in some ways is a frustrating area because you seek to change things and then find the technical problems which block your progress on a particular law. You have to work your way around those and then you run into another set of technical problems, but I have the

knowledge, the experience and the energy and drive to take things further forward. I hope that this Chamber will once again entrust me with that task, with full confidence that Home Affairs and therefore public safety will remain in safe hands.

The Bailiff:

We move to questions.

2.1.1 Deputy S. Power:

Can I ask the candidate a question relating to drugs? If a person with concealed drugs is arrested at either Jersey airport or the Jersey Harbour, that offence is also deemed to have been committed by that person travelling through a U.K. airport or an Irish airport or a European airport or port. On prosecution can that person not be repatriated to the departing airport after a suitably short period of custody in Jersey at La Moye?

Senator B.I. Le Marquand:

If we have arrested the person in Jersey then the normal practice would be that they would be charged in Jersey. I have to say we get mixed co-operation from other jurisdictions. We get excellent co-operation from the French who very often when they have intelligence matters are willing to arrest people in France, they are then charged in France and so on. We are very grateful to them for that. I am afraid we do not get very good co-operation from the U.K. authorities when they know that someone is coming through. They will pass us the intelligence and the information but they will not arrest them there. So the answer is, I am afraid, regretfully, no, we cannot do that.

2.1.2 Deputy R.G. Le Hérissier:

The former Minister has just published his response to the police succession planning Scrutiny report and as he knows what appeared to be very desirable had a lot of problems betwixt cup and lip so to speak. Would he outline to the House the conditions under which he believes police succession planning could work, given all the so-called structural factors that seem to work against it.

Senator B.I. Le Marquand:

While I am optimistic that it will work, the first condition is that we have officers of the right calibre to aspire to be trained-up through the system and become Chief Officer or Deputy Chief Officer. I understand we have 2 such officers at the moment who have been identified in that way. It will be necessary for them to be willing to receive secondments, receive the necessary special training, *et cetera*, but we have the right type of people. Of course whether they will carry through properly, whether or not they will achieve their potential, only time will tell. But all we can seek to do through succession planning and proper training and advancement and resources being put into that - which we are now doing - is to prepare people to be potential candidates. I am very hopeful that is going to happen. I once again thank the scrutiny panel for their excellent report.

2.1.3 Deputy K.C. Lewis:

The candidate will be aware that in the U.K. the Home Secretary has recently been criticised for lax border controls. If re-elected will the candidate be tightening-up our own border controls or is he satisfied they are adequate?

Senator B.I. Le Marquand:

No, I am satisfied that we are operating border controls absolutely properly. We give very high priority to that. I am sure that the Lieutenant Governor would be writing me letters if that was not so because this is part of his area and proper concern. We are part of the common travel area and we have duties and responsibilities to the rest of that common travel area. There are times, because of resourcing issues, when we do not have the necessary number of people we would like to have on the Customs side but we always ensure the Immigration side happens properly.

2.1.4 Deputy S. Pitman:

Does the candidate believe that under his stewardship, following the historic abuse inquiry, victims and the Careleavers' Association have faith that their welfare is more important than the Island suffering some negative coverage in the world media?

Senator B.I. Le Marquand:

I have always said that the main issue is the victims and the fact that offences were committed. I have ensured that the investigations were properly completed, indeed that we gave extra resources into that. I can tell Members that there were reviews of other cases which were completed from the past. My view is and always has been that the issue of the fact of there being victims of this is the main issue.

2.1.5 Deputy G.P. Southern:

Is the candidate content with reports some time ago that as a result of C.S.R. cuts coverage of a serious incident or fire could not be guaranteed from the fire service or has that been resolved since? Has he solved that problem too?

Senator B.I. Le Marquand:

I am not quite sure what the Deputy is referring to. There has been no change at all in the manning levels of the 4 shifts at the fire service during my period as Minister. We did receive a report that said that ideally we should have one more person per shift but financially that has not been possible. But I have not reduced the size of the shifts. We also, of course, have the part-timers as well, the retained fire fighters who are part of our team. The fact is that in a small Island like this if we had a really major, major incident we would have to call on resources and assistance from outside. That is inevitable.

2.1.6 Connétable D.J. Murphy of Grouville:

Is the candidate satisfied with the degree of co-operation between the Honorary and States Police at the moment and, if not, is there any way he does feel he can improve it?

Senator B.I. Le Marquand:

I think there has been a considerable improvement in relationships, if I may put it that way, during the last few years. That has had very much to do with the attitude of particular Chief Officers, both the acting Chief Officer and the current Chief Officer who are generally very appreciative of the works and assistance of honorary force. There are areas where frankly we need the honoraries to be doing certain types of activity because we do not have resources without calling people in for overtime and so on to do them. The honoraries are a major asset at all levels.

2.1.7 Deputy T.M. Pitman:

With the benefit of hindsight, should the position come about again, what would the Minister for Home Affairs, if he is re-elected, do? What would he put in place to prevent the former acting Chief Officer, Mr. Gradwell - sorry, I cannot name him - from leaking information from a live child abuse case to the world's press. Obviously the gentleman had left so he could not be disciplined but is there anything the Minister could put in place that would stop that sort of thing happening again?

Senator B.I. Le Marquand:

Regrettably I do not think so. If an officer decides after retirement, when he can no longer be disciplined, to breach the normal rules of confidentiality, there is not much we can do about it. Of course, if you have no reason to suspect he is going to do that in first place it is even more difficult. In that particular case there was some warning received that he was thinking of doing something and I have said previously that both the acting Chief Officer at the time, and I believe the Attorney

General of the time, met with him and strongly - very strongly - urged him not to do anything but has gone ahead and done it anyway.

2.1.8 Deputy S. Pitman:

Several years ago when I was on the Home Affairs and Education Scrutiny Panel we were made aware that the Customs and Immigration at the time were short-staffed, even before the introduction of G.S.T. (Goods and Services Tax) and the candidate has already mentioned that there are problems with resourcing in Customs. By how many staff and does he know how much tax revenue is being lost, and what does he intend to do in relation to the C.S.R. cuts?

Senator B.I. Le Marquand:

Well, tax revenue has not been lost in terms of G.S.T.; the issue which I inherited is an issue that we have one less person per shift than we would ideally have. That does mean at times when there is pressure with boats arriving at the same time or planes arriving ... boats arriving at Gorey or planes arriving at the same time, that we cannot always maintain a full cover in terms of the Customs checks on people coming into the Island. I have to say that I think that is something we are going to have to live with. We have lived with it for quite some time and I cannot see that I can successfully make out a growth bid case to rectify that.

2.1.9 Deputy K.C. Lewis:

Following heavy cuts by the Ministry of Defence for the U.K. armed forces, has the candidate, if re-elected, any plans to make any changes to the Jersey Field Squadron?

Senator B.I. Le Marquand:

There will be a need at some stage for there to be a negotiation of the inter-governmental agreement. I wanted to wait to see precisely the form that things would go in the U.K. The answer apart from that is no. What had happened in relation to the T.A. (Territorial Army) in the U.K. is it has become much more focused, not on numbers of people in the organisation but on a numbers of people going out to theatres of war to assist and to back up. My understanding is for the size and cost of our organisation we have a very good record on that.

2.1.10 Deputy R.G. Le Hérissier:

With the benefit of hindsight and given the interminable reports that govern the issue of the suspension of the Chief Officer - then Power - would the candidate outline what lessons he feels he has learnt from this sort of terribly unhappy episode?

Senator B.I. Le Marquand:

I never made any secret of the fact that that I did not think that the initial suspension was handled properly in terms of a fair hearing. I sought to rectify that by holding a further hearing. My decisions on that were examined closely by the Royal Court and upheld. I am afraid that looking back over the situation by the time I arrived on the scene I am not sure that I can see anything that I could have done differently which would have not resulted in the same position. I say that with regret but I cannot see what else I could have done which would have changed the outcome.

2.1.11 Deputy M.R. Higgins:

The candidate is claiming credit for the appointment of a very good police chief and the reforms that he has brought in when his first choice left the island after criticism from States Members. Is he satisfied with the way in which the police handled complaints and, in particular, apologising for the conduct to their officers when claims were upheld and explaining what actions have been taken against these officers.

Senator B.I. Le Marquand:

I am aware that changes are needed in relation to the Police Complaints System and indeed we are currently doing a piece of work in relation to that. Part of the problem is that the nature of the police complaints system is that it is geared towards a disciplinary matter. If it does not end up in a disciplinary matter, that can leave people with an unsatisfactory situation. I think that the other issue that arises, of course it is very difficult for the police at early stages, particularly if there is a potential for a disciplinary matter, to be saying very much because they could prejudice that disciplinary matter. What we want to do is to slightly change the system because in many cases people are making a complaint but they do not want a disciplinary matter, they just want it acknowledged that something went wrong. In many cases, in fact, it is retraining and things like that that should be dealt with. So we are looking at this system again and I hope to bring some alterations on the system in the next 3 years.

2.1.12 Connétable M. Le Troquer of St. Martin:

Thank you. Can I ask the candidate whether the greater visual presence of on street uniformed officers has resulted in a reduction of officers in intelligence-led operations and, if not, where were all the new visible officers working previously?

Senator B.I. Le Marquand:

I am sorry, there was some rustling of papers behind, I did not pick up exactly what was said.

The Connétable of St. Martin:

Yes, I am asking if the greater visual presence now of uniformed officers on the street has resulted in a reduction of intelligence-led operations and, if not, where were all these officers previously deployed?

Senator B.I. Le Marquand:

The answer to that is no it has not lead to a reduction because, in fact, what we are doing is deploying people who are part of the shift pattern. There are 5 shifts and each, from memory, has 21 people on it and what we are doing is simply deploying them in a more visible way at times when we can do that. But that is not having any affect on any aspects outside of the shift pattern.

[11:15]

2.1.13 Deputy M. Tadier:

The candidate told us yesterday when he was standing for a different position that he was ready to leave the Home Affairs Department because his work there was done. Is it now the case that his work there is no longer done? Does the candidate agree that maybe he is more interested in being a Minister rather than working at Home Affairs?

Senator B.I. Le Marquand:

What I think I said yesterday was that Home Affairs was in such a good state that I could happily leave it and pass it on to someone else. But that does not mean the work is done, there is lots more to do but the really tough issues in my opinion have been dealt with in the last 3 years.

2.1.14 Deputy G.P. Southern:

Does the candidate acknowledge a lack of tact when dealing previously with his Scrutiny Panel and will he assure Members that in future he will pay more attention to Scrutiny and less to headlines?

Senator B.I. Le Marquand:

I think that was a lack of tact that the Deputy said. I thought I had a very good relationship with Scrutiny I have to say. I, in fact, set out deliberately to be as open as I could with them and it is very unfortunate that they got cross with me over a number of issues but, there we are, these things happen in politics.

2.1.15 Senator S.C. Ferguson:

There has been exemplary work recently by Cheshire Police in maintaining services while reducing expenditure. Is the States of Jersey Police taking account of this?

Senator B.I. Le Marquand:

I have no idea but I have no doubt whatsoever that the Senator will send me details of this, which I will most certainly pass on to the Police Chief.

2.1.16 Deputy R.G. Le Hérissier:

Apropos - now we have got on the Scrutiny theme - the report on the composition of the prison board. Would the candidate acknowledge that perhaps, despite the convivial relations that had existed in some respects, he was preoccupied with retaining the *status quo* and as such was not able to take on board the very balanced reasoning of the panel in regard to the composition of the prison board?

Senator B.I. Le Marquand:

My preference in relation to the system is clearly to provide the best system possible. At the moment the system provided by the Jurats is very good in my view. There were human rights type issues raised and I received certain advice in relation to that which suggested that the current system was not sustainable. However, the day before the debate I received contrary advice which really caused me massive difficulties. Indeed my own personal view was the second set of advice that I received was better than the first simply because it referred to a key case. Now, that put me into a very, very difficult and embarrassing situation. That whole debate, I am afraid, dissolved into a bit of a shambles because the Assembly thought they were being asked to vote for a system where Jurats would remain on but a few others would be added. But in fact the proposition essentially was for only a few Jurats to be there if they wanted to be. I have to say that once the legal impediments were out of the way, my preference was to remain with the present system, but if the Assembly wishes the system changed then the system will be changed.

2.1.17 Deputy M. Tadier:

Does the candidate acknowledge that his handling of the whole affair with the dismissal of the previous Police Chief left much to be desired and that it is now considered by many, including most careleavers, to be tainted beyond all credibility in leading this department?

Senator B.I. Le Marquand:

No, I handled a very, very difficult system professionally and appropriately.

2.1.18 Deputy T.M. Pitman:

If the candidate is re-elected in future would he endorse passing on a bill of £14,000 to a Scrutiny Panel and does he think that might not completely undermine the Scrutiny process?

Senator B.I. Le Marquand:

The bill did not come from me; it came from an accountancy firm. I am frankly not able to comment on that because I do not know what the arrangements were between the Scrutiny Panel and that firm. Although I have to say on the face of it it is surprising that they thought it was appropriate to deliver a bill, but I do not know what the terms were.

2.1.19 Senator F. du H. Le Gresley:

Is the candidate prepared to now give his full support to the Committee of Inquiry into historical child abuse?

Senator B.I. Le Marquand:

I did raise concerns previously in relation to this at the previous debate and I have to say that those concerns, if anything, have been exacerbated by a draft report which I have seen. We are now well aware that if we go ahead with the full inquiry the costs are going to be millions and millions. My concerns are that we end up in a situation which costs a great deal of money but does not deliver what the victims ...

The Bailiff:

I am sorry, Senator, you will have to stop there.

The Connétable of St. Lawrence:

Sir, excuse me, before the candidate withdraws may I apologise to him for distracting him earlier when I was shuffling my papers.

The Bailiff:

Very well, so then I would request that Senator Le Marquand withdraw with the Assistant Greffier and we will ask Deputy Martin to return. Very well then, I invite Deputy Martin to address the Assembly.

2.2 Deputy J.A. Martin:

There was just a bit of a delay because I met most of the Members in the coffee room and I was hoping they would come back in to listen to me but there we are. I suppose most people are thinking: “Why is Deputy Martin standing for Minister for Home Affairs? What would Deputy Martin know against an ex-Magistrate, an ex-lawyer and the Minister for Home Affairs of the last 3 years?” Up until lunchtime yesterday that Minister wanted to be the Minister for Treasury and Resources and nobody was opposing the candidate put forward by the Chief Minister, Senator Farnham, and I thought to myself in the middle of the night, early morning yesterday: “What does Senator Farnham know about Home Affairs that I possibly do not know?” because I have worked with Senator Le Marquand on the Children’s Policy Group for the last 3 years and we are where we are. Three years ago Senator Syvret at the last minute had to challenge Senator Le Marquand because the likes of the people who had criticised Home Affairs for years had not put their name forward. They are not here. **[Laughter]** Well, time does fly. No, they are not here and we are where we are 3 years ago and I was waiting for somebody to put their name forward, no. Then I was told what a nice guy Senator Farnham was standing down to let Senator Le Marquand go back in his old job. That would have been fine as well but Senator Le Marquand, when I asked him why was he jumping ship, he said he was not and everything was happy at the police. Everything was happy with Home Affairs, everything he promised 3 years ago had been done. He was going to fight for more resources for the prison, he was going to sort out the Y.O.I. (Youth Offenders’ Institution), he was going to sort out drugs, he was going to make sure the youngsters we keep putting in prison were rehabilitated and come out to jobs. He said he was going to sort our binge drinking in St. Helier and there is a problem with ... these all still exist and he knows that. We are still imprisoning children, we still have not sorted out in the last 7 years why we are putting 15 and 16 year-olds in La Moye when we have Greenfields. Too much hard work. I worked with ... criminal justice has not been brought in, the Licensing Law has not been brought in. Our police are happy. Well, would you not be happy if you were a 25 year-old policeman dealing, with a salary nearly twice they have in, say, Hackney, Liverpool or Manchester, with our youths on a Saturday night? We need to send them away. Ex-Deputy Jeune and I did not agree on a lot but we did say experienced police from inner cities need to come here for a long weekend and *vice versa*, especially in the first early years of police training or out on the beat. It is not good enough. There are radical ways to deals with youth. Why have we not got the caravan that inter-cities have in the Royal Square? Why do we automatically arrest them, put them in the police station, then phone their parents 2 hours later and say: “Could you come and get your youngster because I have not got room and I have got a violent criminal that I want to put next door to him.” No. This is what we

have done for years. The Board of Visitors – Jurats - I have made it quite clear I worked with the ex-Deputy of St. Martin on it. The last Minister, when it came to the House he had done a complete U-turn, he had made a whole Scrutiny Panel leave. It has got to be seen to be done. I do not have a problem with the Jurats; I think they are fine, they do what they do but I do not believe they should be sentencing and visiting. It has got to be totally independent and I would pursue this, I pursued it with youth and all the children's homes and Greenfields now have an independent visitors' board. They are doing fantastic, they need more resources. It will be done. We have promised. We keep being promised extremes. The binge drinking in St. Helier is not cured. I get really annoyed when it is called the binge drinking in St. Helier; it is the whole of Jersey coming to St. Helier on a Friday and Saturday night and getting drunk, whatever age. I want to work, whoever the new Comité des Connétables Chief is, with them. I want the honoraries to do more. I want the Trinity law. I want to be able to get rid of all the people who are drunk in St. Helier at 12.00 a.m. like Trinity does. **[Laughter]** The Constable of Trinity has some ancient law, he will not tell me what it is. **[Laughter]** But Jersey Live, if you do not live in Trinity you must be off Trinity Parish by 12.00 a.m. and he enforces it, his honoraries, and not only the honoraries, the States of Jersey Police enforce it. So we should be doing this in St. Helier. If we cannot get the police to work and sort out the problems, there are late licences, the Licensing Law needs sorting out, we need ... I am going to be quite radical. People are talking about putting up ... stop them drinking, stop the drunks on the street, stop the kids drinking, let us put it up to 21. I spoke to my daughter and her friends who are all 17, coming up to 18, and asked them: "Would you rather be drunk on the street or sober inside a club or a pub?" You would get one red card. You would not drink for that year between 17 and 18 but you would be allowed in. If you are drunk or someone serves you a drink or buys you a drink, they are out and you are out. They all agreed they would love that. It has not been tried, quite radical. I am the Children's Minister but these are not children. When did the Licensing Law change? I am younger than some but I do remember ... I remember working up the West End and it was 18 then and I started work at 16. I used to go to the pub on Friday for my Ploughman's Lunch and half a lager and nobody said anything but I never even thought of it. I was breaking the law. But all these things need to be considered. Customs, again we have real good promises that he was going to fight, the ex-Minister, well obvious it is all happy. Do you know the U.K. Government have just lost 150,000 illegal immigrants and they are not even looking for them? We had no border controls, are they coming to Jersey, do we know that? We have got no idea.

[11:30]

We have been let down by Home Affairs and the promises, and I am standing seriously to contest this Minister now because he told us all yesterday: "I have done my job at Home Affairs, I would not be moving on if I thought the job was not done." He knows that job is not done. Only 4 weeks ago I was sat with him on the Children's Policy Group and we have done nothing. Where is parole? We do not have parole, it has been promised and promised ... when I was up the Y.O.I. 2 prison guards said to me: "We have an 80-90 per cent failure rate" and Senator Syvret quoted this in his speech 3 years ago of "putting our youth in prison". It does not work and then they are back the next year when they are 19, they are back the next year when they are 21 and they are with the real criminals." They are even contemplating bringing the Y.O.I. down to 18, so over 18 you mix with all the criminals. Well, if you want to learn a trade of house breaking, drug dealing, anything else illegal, put the kids in with the over-21s, and they will really have a good trade and it will all be illegal. We are letting everybody down. Now, I have a few other points that I did ask the Chief of Police - not the Chief of Police, the Chief Executive Officer - because when I heard that, that we have dealt with everything, we have the dealing with the C.S.R. at Home Affairs, and it will impact on things, organised crime, e-crime, dealing with the speed and sophistication of modern communications, Twitter and blogs. Blogs, I asked everyone around me yesterday: "What does 'blog' mean?" and nobody could say anything. Just for the record, I am not having a go at social

media. Anyone who can put their name to a comment I respect, but to me, anonymous blog means bias, lies, opinion and garbage and they are cowards. There are lots of us who have been destroyed by these cowards in here, and the web is getting smaller, the net is getting tighter as W.W.W. (World Wide Web) worldwide. The police can find these people and the police will find these people, but we need the laws, we need the legislation and we certainly need to deal with this. There are other things that we will be facing. The fire and rescue I am not too bad, but apparently overall in the next 9 years, there will be a budgetary shortfall of over £300,000, so there are big problems. Just remember I know that I have not the experience of an ex-magistrate, an ex-lawyer and the ex-3 years at Home Affairs, but where is everyone else that could have gone for this job? I thought the Assistant Minister did an excellent job and I would love to have seen her put her name forward or been nominated by ...

The Bailiff:

Very well. So we come then to questions, and first of all, Deputy Trevor Pitman.

2.2.1 Deputy T.M. Pitman:

I blog. I do not know where the name came from, but I put my name to everything I write. But as we see in the last election campaign, I and my wife have been victims of anonymous bloggers linked to a blog where at least 3 now unemployed Senators were involved. What would the Minister for Home Affairs, if she becomes it, try and do about this, because the police are not interested, and nor are data protection?

Deputy J.A. Martin:

I do not agree the police are not interested. What the Chief Officer says is we need to rapidly catch up with our laws and legislation. Technology has overtaken the bloggers. Technology, they can go anywhere in the world. If it is really criminal and they are doing ... it can be found, there is some number, an I.P. (Internet Provider) number; people can be found. The problem is if they are just calling you a silly name or that you are an incompetent - and do not forget, obviously as States Members, we are supposed to put up with that - I do not have a problem. I can put up with anything that is printed about me that is truthful and I can put up with anything that is printed about me that has somebody's name. The police want to bring in the legislation and it has got to be done very quick, because it is going to get worse.

2.2.2 Deputy K.C. Lewis:

If elected, where would the number one priority be of the candidate?

Deputy J.A. Martin:

Well, it would follow on nicely with me. Really, it is do with the youth. We have let our youth down for years, we have let their parents down. We are imprisoning them and I think it is a phrase of Senator Breckon: "We do not put the fence at the top of the cliff, we put the safety net at the bottom." Our safety basically is either Greenfields - one of the homes, St. Mark's Hostel or when we have failed them 4 times, they are in La Moye, and they are in and out like yo-yos for life. So that is where I really want to concentrate my efforts.

2.2.3 Deputy M. Tadier:

The candidate may be aware from previous experience that we in Jersey seem to have a penchant for arresting and putting mentally ill residents and alcoholics on remand in prison, because we do not have enough suitable community provision for these said people. Can the candidate say what she would do about these issues and whether she would give it urgent attention?

Deputy J.A. Martin:

Yes, sorry, I did read both the speeches from last year and some comments from the Chief Officer. This is one area that is used: unfortunately that we do not have the facilities. I totally agree with the

Deputy. Obviously it needs work with Health, it needs proper assessment of the people before wherever they are put, and again, it goes back to vulnerability. We have different places. If you are very vulnerable and you are 25, you do not need to be in La Moye. We have a secure unit at Greenfields. All this vulnerable... and who goes where has taken ... well, it was 7 years, 3 years ago, so it is 10 years now, and that was only 7 years when they were asking to sort it out. I totally agree with the Deputy, where there are many people in La Moye who should not be there.

2.2.4 The Connétable of Grouville:

Is the candidate aware of the high degree of co-operation between the States Police and the Honorary Police, and if elected, will she undertake to foster and improve this arrangement, which includes Parish Hall Inquiries?

Deputy J.A. Martin:

I totally support Parish Hall Inquiries and I do believe there has been good work between the Honorary Police and the States of Jersey Police. Unfortunately, I think there are some Honorary Police who could step-up to what you would call a special in the U.K., but they are not given the opportunity. Under the law, they are not allowed to do it. I just think if you have got people who are willing and able and want to, why are they not? If everyone arrested in St. Helier was from St. Helier, I would say it was a St. Helier problem, but we all know it is not, so I would want to work. That would be one of my second priorities. I have said it, the Honorary Police do a fantastic job, but lots of them - the younger ones - it could well be enhanced to a special policeman in an honorary capacity, and if other people want to do the gates or road traffic, excellent, whatever they want to do, but do not cap their ability.

2.2.5 Senator S.C. Ferguson:

There has been exemplary work by Cheshire Police in maintaining services while reducing expenditure. Would the candidate encourage the States of Jersey Police to take account of this?

Deputy J.A. Martin:

Well, as I think I said in my speech, I think our police can learn a lot from whatever constabulary we decide to look and learn from. Why would we have drunks on the street? Why should we have drunks on the streets? Why are we not having the police inside the places while they are not drunk? Why are we arresting them when they fall out? Because our police are over-stretched in the wrong area. We are looking at it bottom up; it is the wrong way to look at it. So if it can be done better with less resources, I do not think manpower resources, but better deployed, again with the help of the Honorary Police, I think it could work well. We are very small. It can work very well. When you are barred from one place here, it can go round the whole of the licensed premises within an hour or a couple of hours. It should work; we need to make it work.

2.2.6 Deputy S. Pitman:

Does the candidate believe that the Youth Service could be far better utilised in terms of crime prevention and dealing with young offenders?

Deputy J.A. Martin:

Yes, I think it does, and I think to cut back on the Youth Service and to say that ... the outreach youth work is fantastic. My daughter is on one of the courses, and she was out with the outreach on Friday night, and I think she was looking at it from a different perspective, which really did open her eyes, but we do not seem to ... I got the impression from who is now the Minister designate for Education, Sport and Culture that again, the Youth Service under education came very ... well, probably well down the list of priorities and that is the way it has always been. We need to get modern, we need more like La Motte Street, we need to encourage bands, all things like that. You know, youth clubs are moving on and we need to move very quickly to even stand still, let alone catch up.

2.2.7 Deputy R.G. Le Hérissier:

Given the principle that the candidate applied to Deputy Hilton, namely that she should seek to be Minister for Home Affairs, could the candidate indicate were she to lose this position whether she will be seeking to be Minister for Health and Social Services?

Deputy J.A. Martin:

I do not notice my Minister for Health and Social Services jumping ship or saying that the job had been done, and I said that the Assistant Minister for Home Affairs did an excellent job, whereas the questioner just griped for 3 years - in fact, for the last 6 - and has never put his name forward. These are the sort of people who should be standing here asking for the job for Home Affairs. If you can do a better job, put your name forward and do it.

2.2.8 Deputy G.P. Southern:

I hope this question gets better treatment. **[Laughter]** Well, you never know with Deputy Martin. The tradition in the Home Affairs Department when slicing up the budget is that the police get first pick and then it goes through the Fire Service and then the Ambulance Service. At the bottom of the pecking order is our great, excellent, efficient Probation Service. Will she assure Members that she will protect the Probation Service from future cuts?

Deputy J.A. Martin:

Well, I would like to say yes, but I did ask for a breakdown from the Chief Officer today and it is a funny thing, probation, because he sits with us on the ... the Chief of Probation sits with us on the Children's Policy Group, and he may need more money. He does an excellent job, but yes, I mean, it is Home Affairs Executive, police, then it is the Prison, then it is Fire, Customs and it goes right down to the Registrar, but I do not have an amount for the budget. But I work really, really well with the Chief of Probation and I think he is doing a fantastic job with the new facilities at J.C.A.S. (Jersey Court Advisory Service) and everything else, so if he needs more budget ... but I like his independence.

2.2.9 Senator P.F.C. Ozouf:

The candidate spoke of the challenges of C.S.R. and at the same time the high cost of police salaries. Is she prepared to cut police salaries?

Deputy J.A. Martin:

What I said was would you not be a happy policeman if you were earning double the same at the age of an inner-city policeman? I think they need to earn their money. Now, if they are doing their job properly, we may be able to cut not their salaries because of the cost of living in Jersey, but with working with the Honoraries, we may not need the same amount of police. You can cut a cake, as the Minister will very often tell me, in many different ways.

2.2.10 Senator F. du H. Le Gresley:

Very much on the theme of Deputy Le Hérissier, the candidate has exhibited that she has some very original and good ideas about crime reduction, so if she was unsuccessful today, would she like to be the next Assistant Minister at Home Affairs?

Deputy J.A. Martin:

I would always consider that, yes. I mean, if it was working along ... and I would have to work with the Minister, like the Minister I worked with before and the other Assistant Minister, there was no surprises, we were copied into everything and that was the only way I would work and that is the only way I would work with the next Minister for Home Affairs, if asked.

2.2.11 The Connétable of St. Lawrence:

I am sure the Connétables were delighted to hear that the candidate supports Parish Hall Inquiries. Does she also support the role of the Centenier in the Magistrates Court?

Deputy J.A. Martin:

I mean, somebody has got to put the prosecution's case. Is it the Centenier? I am not sure. I am not a legal brain. Some people think it is ... we know who we are talking about. I looked into this with the Connétable when she was the Deputy of St. Lawrence on a Scrutiny Panel. Some people think it is against human rights they arrest or something like that and they prosecute. Someone has got to do the job. If we are not going to go to a Crown Prosecution Service, I do not have ... I do not know whether any of the Constables think I have a problem with Constables, Centeniers, Parish Hall Inquiries or the Honorary Police. I want to enhance their position, and that is all I can say.

[11:45]

2.2.12 Senator P.M. Bailhache:

That was a wonderfully passionate presentation from the candidate, with much of which I agree, but what would the candidate have the courts do with young people who commit serious sexual offences, vicious assaults, continuous burglaries other than put them in the Y.O.I. (Young Offenders Institute)?

Deputy J.A. Martin:

If only I was talking about those sort of youngsters. I am talking about youngsters who fall ... maybe even a couple times while they are 17, 16, they are in the Youth Court. It builds up, then they have a fight or something. They are not serious criminals; some have jobs. They take them out of their environment and they put them for 9, 10 months a year into the Y.O.I. It cannot ... I am only going by what I have spoken to the wardens at Y.O.I., who are dedicated to the Y.O.I., because the 10 per cent that do work, they want to keep that 18 to 21. But they said they see, they know these people are going to be back, and when they start off, with respect, they are not serious sexual offenders, burglars or committing really atrocious, vicious criminal assaults either. They learn that and they learn a lot of that up at La Moye.

2.2.13 Connétable J.L.S. Gallichan of Trinity:

Could I just say the Deputy is always a pleasure to have in my Parish. It may be also worthwhile if quite a few Members of the States would come down and be at the bottom of Trinity School when Jersey Live is exiting 10,000 people, mostly under the influence, to have to hear the abuse and the language which is put towards Honorary Policemen, who are doing their work free of charge for the benefit of the Parishes. Because of the amount of event-led tourism that we are being talked about now, would the candidate commit or commence to think about 'user-pays' on not charity functions, but on functions which are for the benefit of organisers?

Deputy J.A. Martin:

There is a new law in process that will allow the police to charge for, as you say, not charity functions, and that is on its way. The problem that the Constable of Trinity has described, why do we not go down and listen to what it is like outside Trinity School, why does he not come in to St. Helier every Friday and Saturday night, and none of your Honorary Police are there. I mean, we have 10,000 ... we have exiting at 1.00 a.m., 2.00 a.m., taxi rank rows. The Constable knows where I am coming from, but he says I am only welcome in his Parish until 12.00 o'clock.

2.2.14 Senator P.F. Routier:

What is the candidate's opinion of the court's ability to name young people in the press when they have committed a crime? Does she have an opinion of what should happen?

Deputy J.A. Martin:

Yes. Well, the Deputy sitting next to me brought this, and funnily enough, it did outside spark a lot of conversation, and first speaking, a lot of people thought it was a good idea. I never did. I mean, as I say, we are already putting what I call children ... children we have let down. I mean, some of these, you cannot imagine some of the backgrounds, and we have already let their parents down, and we are putting them in prison and you want to name them or you want to name the parents of the children. What does it help? Some of them, and in the U.K., like the A.S.B.O.s (Anti-Social Behaviour Orders), they wear them like a badge of honour; it is good. So I never thought it was a good idea and luckily it never got through. I think the Deputy got 2 votes. The Deputy may bring it back. I would not support it.

2.2.15 Deputy T.M. Pitman:

Does the candidate think that openness is better than just burying problems when we relate to the police, because all departments have problems? I allude particularly to a case where a senior police officer was allowed to leave the Island, apparently for personal reasons, yet I have had 2 firsthand accounts from police officers that that is due to complaints of a sexual assault on a colleague. Do the public not deserve to know these things?

Deputy J.A. Martin:

I mean, for the new people who do not know me, I think what you will always find is what you see is what you get, and I do believe in openness. I say it as it is, and I do not know anything about the case the Deputy is talking about. Again, it is innuendo and rumour. But if there are serious things wrong, I would like it brought forward, and the police authority that should be coming in should be the buffer. Again, that was Clothier 1, I think, and it is now going to be in March - Easter in 2013 - that this is going to come in. I mean, why does everything take so long, because it is amazing, it is honorary positions as well, and 2 States Members sitting on the board. Why is it taking so long? Do the police not want it or does the Minister not want it? That is one other thing. While Senator Syvret stood last time against Senator Le Marquand, I did not really understand all the comments, but it was that he wanted to be directly in charge of the police. I think political interference with the police in any shape or form must be completely a no-no.

2.2.16 Deputy G.P. Southern:

The candidate has majored on alcohol problems. In the case of joined-up government, does she not accept that part of the additional problem with alcohol is the cancellation of a position post of drug and alcohol counsellor made in the 2011 C.S.R. by Health?

Deputy J.A. Martin:

Again, that is the net at the bottom. We need to tackle it earlier on. It has been suggested that ... well, the Licensing Law. Why does it cost the same for a great big supermarket as a little shop to sell thousands and thousands of pounds much more booze to the public? That is what happens under the Licensing Law. Why do we not have the Licensing Law where you can say: "Have coffee." Why do we charge in our pubs more for a soft drink that you do for half a lager? Absolutely ... we are not encouraging it, and as for the drugs and alcohol, I am not sure whether the post has been cut, but again, as I say, it is a thing that we should be resisting. We should be educating more. Let the children ... not children, my 17 year-old and her friends are not children. Let them in these licensed premises, do not let them drink, and let them see, like that advert, they go out looking lovely and they come home ... well, you have all seen it.

2.2.17 Deputy M. Tadier:

At the beginning of her speech, the candidate spoke about e-crime and blogs - which is incidentally short for weblog - and bullying on those and data protection infringements. Does the candidate agree that States Members should lead by example on this, and has she had any experiences where police have had evidence to prosecute but have refused to do that?

Deputy J.A. Martin:

I myself personally have not had evidence that the police have had the evidence. I think they have probably not looked. What I am saying is what I said in my speech, the police have the technology, the technology is there to find out who is doing this blogging, so whoever is sitting there calling themselves “Wolfman”, whoever is out there, some very, very ... they are sitting in their little rooms - they have got nothing better to do - to cast aspersions, tell lies and absolutely will not put their name to it, and then they blog back and pat each other on the back. What I said, if the Deputy listened, is I do not have any problem when people put their names to it.

The Bailiff:

Sorry, Deputy. Then that brings questions to an end, so I ask that Senator Le Marquand be invited back to the Assembly. Very well, then I ask that ballot papers be distributed. Then could the ballot papers please be collected? Have all Members returned their ballot papers? I now ask the Attorney General and Deputy Viscount to count the votes. While we are waiting, Senator Gorst, are you happy from your perspective to proceed to the next nomination or do you wish to wait for the result of this ballot?

Senator I.J. Gorst:

I am happy to proceed, Sir, with one slight caveat. I am not sure whether there are going to be 2 other contenders or one. Perhaps I could do my nomination, we will find out and then we can decide whether we should adjourn early for lunch or continue.

The Bailiff:

Just before you do that though, I just want to check, in fairness to the 2 candidates on this occasion, whether they want to wait. Senator Le Marquand, do you want to await the outcome of this in relation to ...

Senator B.I. Le Marquand:

No, Sir. I think the candidate has ...

The Bailiff:

Deputy Martin, do you wish to await the outcome in relation to Planning and Environment?

Deputy J.A. Martin:

I will not put anyone else through that again, Sir.

The Bailiff:

In which case, do Members agree we may as well find out who is being nominated then for Planning and Environment? Very well, so Senator Gorst.

3. Minister for Planning and Environment

Senator I.J. Gorst:

I should like to nominate Deputy Duhamel for the position of Minister for Planning and Environment.

The Bailiff:

Is that seconded? **[Seconded]** Any other nominations for Planning and Environment?

The Deputy of Grouville:

I would like to nominate Deputy Noel.

The Bailiff:

Is that seconded? **[Seconded]** Any other nominations? Very well, then we have 2 nominations. So on that basis, assuming we get the decision here in about 5 minutes, are Members content then to try and finish this one before we adjourn? Very well.

Senator P.F. Routier:

Just for Members' information about how long we will have for lunch afterwards, I suppose an hour from when we finish the election of the next ...

The Bailiff:

Yes, after Planning and Environment, we still have 2 Ministers and then a number of chairmen, so do Members agree to a one-hour lunch?

Senator P.F. Routier:

A one-hour lunch.

[12:00]

The Bailiff:

I am now able to announce the result of the ballot for the Minister for Home Affairs. The votes cast were as follows: Senator Le Marquand 28, Deputy Southern **[Laughter]**

Deputy J.A. Martin:

Definitely want a recount now, Sir. **[Laughter]**

The Bailiff:

Deputy Martin 22. I declare that Senator Le Marquand is elected. We turn to Planning and Environment and I ask that Deputy Noel retire with the Assistant Greffier. Yes, then I invite Deputy Duhamel to address this Assembly.

3.1 Deputy R.C. Duhamel of St. Saviour:

I am grateful to the Chief Minister for nominating me. My interest in planning and environmental matters is well known. I have built-up substantial knowledge and experience in these areas over many years. Under committee government I served on various planning committees as well as the Housing Committee and Public Services Committee. With the introduction of Ministerial government I chaired the Environment Scrutiny Panel for the first 3 years. During that time, my panel produced reports on the planning process, air quality, fisheries, designer homes and urban regeneration, and many more besides. Over the last 3 years, I have held the position of Assistant Minister for Planning and Environment for just over 2 years, and in July this year I was elected as Minister. I have had the privilege to represent Jersey on environmental issues at an international level, both with the British-Irish Council and with the Commonwealth Parliamentary Association, discussing topics including climate change, energy policy and fishery agreements. The Chief Minister referred to the Environment Department as the seat of the environmental conscience of the Island and I would very much concur with that view. My own motto would be: "Wise use of resources." To protect our environment, we must make wise use of our natural, rural and urban land areas, our existing heritage and buildings, our energy and water supplies. This is a theme that sits at the heart of my policies. As Minister, I will take the lead on environmental issues and I will appoint an Assistant Minister with responsibility for overseeing the planning process and the Planning Applications Panel. The Planning Applications Panel will be the main decision-making body for contentious planning applications, working within the guidelines set down by the Island Plan and the S.P.G.s (Supplementary Planning Guidance). Much good work has been undertaken on environmental issues over the last 6 years and I will build on that. The new Island Plan gives us strong protection of the existing Green Zone and introduces a new Coastal National Park in addition to the established Ramsar area. I will ensure that the plan is strictly enforced and that the

protection of the natural environment is treated with the highest priority. I believe that we should also establish a new community-based taskforce to provide valuable support to maintain, protect and enhance the new Coastal National Park, as well as caring for our woodlands, roadside walls and hedges. This volunteer force would draw expertise from and work with departmental staff, local landowners, Parishes, existing organisations, and youth groups. At this time of high unemployment I will discuss this idea with the Minister for Social Security to identify how the scheme can be used to give work experience to locals unemployed. The quality of the air we breathe and the water we drink cannot be taken for granted. The Minister for Planning and Environment is responsible for the Water Pollution Law and holds a regulatory function over waste management. I take these responsibilities very seriously and will hold to account both Government departments and local companies who infringe environmental legislation. I have initiated and will finalise discussions with the Minister for Health and Social Services considering the future of the Health Protection Service and the possible transfer of this regulatory function to the Environment Department. We are all well aware of the increasing costs of fuel and electricity and these prices will probably continue to rise. The Island is very reliant on imported energy and it is vital that we develop an appropriate energy policy for Jersey to maintain secure and affordable supplies for the future. The Tidal Power Commission has already made good progress on legal and commercial structures to allow large-scale renewable energy exploitation, and this needs to continue. On the domestic scale, however, there are many business opportunities available for local firms to install energy-efficient systems in existing buildings and new developments. I will ensure that building regulations encourage the use of sustainable products and techniques with a minimum of red tape. Over the last 2 years I have chaired the Ramsar Management Group, a management plan has been drawn up covering the southeast coast, the Paternosters and the Minquiers. This is an area of international significance and I will ensure that it continues to receive appropriate protection. I support the French proposals for a marine nature park. The agricultural environment is a key component of the identity of Jersey. The rural economy strategy published last year by my department and E.D.D. includes many positive proposals to maintain and encourage this vital element of Island life and I will continue to work with the Minister for Economic Development to progress these policies. The new Island Plan was overwhelmingly approved by the States earlier this year and this was a tremendous vote of confidence in the hard work undertaken by the departmental officers over the last few years. A key task of the next Minister is to develop supplementary planning guidance notes and local neighbourhood plans. I have been involved with the drafting of the Island Plan over the last 3 years and I am well placed to lead this important work. Local communities must have the opportunity to participate in the drawing-up of these local neighbourhood plans and larger master plans must be produced, which will help areas develop and maintain their own unique characteristics. I hope that many Members will get involved in this process and that Constables in particular will help to co-ordinate the plans in each Parish. These area plans, together with the detailed S.P.G.s, need to provide a robust and clear written framework for local architects and developers to rely on. Individual planning applications will then be able to be consistently judged against those documents. Buildings must continue to be constructed to a high sustainability standard with good design principles applied, but we live in a beautiful Island and more attention must be paid to ensure that new buildings sit well within the landscape and complement their surroundings. Earlier this year I chaired the group considering the planning improvement process: the group recommended that the powers of the Minister for Planning and Environment to determine individual planning applications should be restricted and that the majority of contentious applications should be dealt with by the Planning Applications Panel. I will implement the recommendations of my group and, as mentioned earlier, intend to appoint an Assistant Minister to drive these changes forward. Members of the panel will be given training to ensure they fully understand the planning process and their decision-making powers. General Development Orders have reduced the need for many minor applications and I will consider increasing the scope of the exempt developments. Since July, the department has already started to implement an I.T. (Information Technology) improvement project, which will allow applications to

be viewed online by the general public. It will also give the planning staff easier access to information, helping them work more efficiently. I will pursue the concept of an Appeals Commission using independent experts to bring extra rigour and challenge into the appeal process and to reduce the time and cost of appeals. The issue of affordable housing is a key concern at present. Over the last few years, I have visited several European cities, famous for their excellent social housing programmes. I have talked to planners and architects to understand how they provide good quality and affordable housing. The Island Plan debate confirmed my strong view that new developments should take place in existing built-up areas as far as possible. There are significant opportunities to develop affordable homes on land already in States ownership. As a matter of the utmost priority, I will work with the Minister for Treasury and Resources and the Minister for Housing to ensure that our commitment to provide affordable homes is quickly turned into a sensible and achievable plan. The political group was set up over the summer and I hope that those Members that are still in the House will continue to support this project and that new Members will also become involved. Planning policies and individual decisions have economic consequences. I will hold regular meetings with the Minister for Economic Development and the Economic Adviser, to ensure that, within the Island Plan framework, detailed policies are drawn-up that complement the overall economic strategy of the Island. The T.T.S. (Transport and Technical Services) Department has many close connections with the Environment Department. I initiated discussions with the previous Minister for Transport and Technical Services to consider these links. I would hope to continue this discussion with a new Minister, in particular the way in which transport and waste management policies are developed. I have experience of working both on a Scrutiny Panel and as part of a Ministerial team. Over the last 6 years there has been a positive relationship between Environment and Scrutiny, and as Minister I will work hard to ensure that this will continue. I will end as I began, my interest and experience in both planning and environmental matters is well known. I am prepared to devote all my energies to the effective running of the Environment Department for the next 3 years. The department officers work to a very high standard over a wide range of areas. I already have a good working relationship with the staff and am excited at the prospect of working with them as Minister for a full 3-year term to enable us to deliver these important projects. I hold my opinions honestly and openly. If elected, I will serve the public of the Island to the best of my ability. Thank you.

The Bailiff:

Thank you, Deputy. Now we turn to questions. Deputy Vallois?

3.1.1 Deputy T.A. Vallois:

Could he candidate advise how he would improve the enforcement of planning conditions or ensure unenforceable conditions are not applied to planning permissions?

Deputy R.C. Duhamel:

I have already taken off some of the planning obligations that were put on by my predecessor, which could not be enforced. There is a procedure to ensure that things within the department that we are going to put into the agreements are enforceable. It is a case of encouraging developers to move in a particular direction by and large, and I think those negotiations have to be taken up-front. The work is underway to do what the Deputy has asked for.

3.1.2 Deputy R.J. Rondel of St. Helier:

Would the candidate be able to say of the proposed panel, and if not, would he not agree that the recent panel, which included all Constables from country Parishes with a mandate of just a few hundred votes, does not give a true or fair representation and that the panel should include at least 2 representatives from St. Helier, one being the Constable of St. Helier and possibly the other from urban Parishes, particularly at least trial it and increase the relevant areas.

Deputy R.C. Duhamel:

Despite all that, any applications panel has a balance of Members across all of the Parishes. Within the planning inspection process, it was recommended - and I endorsed the recommendation - that those Members on the applications panel would not be able to consider particular developments on their own patch. So, for that reason alone, there has to be a wide selection of Members. In setting out the membership of the panel at the moment, our Members must be aware that the existing panel runs to the end of December before it expires legally, and the new panel will be considered after that point. I have not chosen all the members as yet and I would ask for Members to put their names forward if indeed they think they would like to perform this interesting and very useful function of work.

3.1.3 Deputy S. Pitman:

I would like to know what the candidate's plans are ... if successful, what his plans consist of in reducing energy use in Jersey and Jersey playing its role in climate change, reducing it.

Deputy R.C. Duhamel:

As I mentioned in my speech, one of the fundamental new planks of the energy policy, which is up for further review... I only inherited it in July when I became a Minister, and it did not deliver the climate change conditions that this House had signed up to. So there will be a revision, and that revision I am hoping will be brought to the House and for full consultation early in the New Year. In essence, I think the House has to move away from fossil fuels, as indeed the rest of the world is moving away from, and to make firm commitments towards renewable power. That is not just the tidal and the wind schemes, but there are also a number of domestic appliances, air-source heat pumps, solar panels, photo valve-type panels, all of these could and should be encouraged by the Minister for Planning and Environment to make in-roads into the reduction of the demand in terms of fossil-fuel power.

[12:15]

3.1.4 Deputy J.A. Hilton of St. Helier:

One of the biggest complaints of residents living in St. Helier, especially within the ring road, is the lack of parking for residents and visitors alike. Does the candidate agree all new developments within the ring road should have at least one space per bedroom and provision for visitors, and, if not, why not?

Deputy R.C. Duhamel:

This is an area that I wish to get into discussion with the to-be-appointed Minister for Transport and Technical Services. I consider that there is an environmental and planning aspect to transportation planning, in particular with respect to the parking of cars, but not just exclusively to that. I support the right of persons living within the town areas and the built-up areas to have a car. I have some different ideas as to where those cars should be parked. I consider that it should be people first and cars second, but that said, I do think that it is fundamental that people, if they choose to drive a vehicle, should be able and encouraged by the department to do so. In order to do that, there has to be a place for them to park, so it goes without saying that probably one per bedroom is about the right standard, although in modern European countries they have gone down to 0.7 or 0.5.

3.1.5 The Connétable of St. Peter:

How does the candidate, if successful, propose to balance the purely planning policy rules with considering an application against the potentially positive economic stimulus created by the development?

Deputy R.C. Duhamel:

I said in my speech that I would hold frequent talks with the Minister for Economic Development and that would be an item that would be on the agenda. The whole of the Planning Department

works according to plans and obviously we need to talk together in order to formulate what those plans should be in order to guide the decisions that flow out of them.

3.1.6 The Connétable of St. John:

As the outgoing chairman of the Environmental Panel, I am aware of the skills needed within the Environmental Department, but have concerns that both the north of town and other areas of the Island are being prevented redevelopment because of S.S.I.s (Sites of Special Interest) and B.L.I.s (Buildings of Local Interest) being a cumbersome procedure in preventing the redevelopment of brown areas. Will the candidate be looking at lifting S.S.I.s, for instance on the Odeon and other sites, and will he be asking local architects for advice instead of going off-Island to find iconic architects?

Deputy R.C. Duhamel:

In both those questions, the answer is yes. I appreciate the historical aspect of our Island's heritage in relation to the build, but I do not agree with mothballing the town to the extent that perhaps development would be curtailed. That said, I also appreciate the local skills of our local architects and will seek to use their skills and services as far as possible. Initial talks have already been undertaken to bring together all the interested parties within the North of Town Masterplan area to come forward with the next stage in the planning process, which is to design an holistic approach to the redevelopment of that area. It is only by working together, with all the skills and talents of the people that are available within the Island, that the best can be brought about.

3.1.7 Senator F. du H. Le Gresley:

What will the candidate do to clear the backlog of planning applications in the department, in particular those involving listed buildings or sites of special interest?

Deputy R.C. Duhamel:

There is not a very large backlog and it is anecdotal evidence at the moment. In fact, under my watch, since July, the department have taken more decisions than my predecessor. That said, I did get given a legacy of a number of tricky Ministerial decisions and I have been working my way through them steadily. That process will continue and we will be up-to-date in a very short period.

3.1.8 Senator P.F. Routier:

I think I heard the candidate comment in his opening remarks, but could he confirm his views on the recommendations of the Reg's Skips Committee of Inquiry and the recent Planning Officers Society review; that the Minister for Planning and Environment should not take an active role in decision-making on planning applications, and will the candidate confirm he will bring into force the Ministerial protocol to implement the formal procedures?

Deputy R.C. Duhamel:

I have already said that I will endorse the findings of the review group that I chaired in relation to the Ministerial protocol. The people have to be aware though that it does not say that the Minister will not take any decisions, it says that the Minister will be encouraged only to take decisions that are of Island-wide significance, or important decisions. As to whether Reg's Skips is in that category, my mind is still open. But one thing is for sure, that a satisfactory resolution must be found to all the interested parties and that is what we are working to.

3.1.9 The Deputy of Grouville:

It was apparent, while conducting the rural strategy Scrutiny review that the agricultural industry does not feel it had a champion and there is a high degree of confusion because it is split between 2 departments: Economic Development and Environment. What will the candidate do to alleviate the confusion and who should champion the industry?

Deputy R.C. Duhamel:

I have firm ideas on this, and indeed I would wish to pursue the same course as I am pursuing with the other Minister for Health and Social Services. I consider that it is only right, if the environmental conscience is seated within the Environment Department, that all the environmental eggs for the strategy setting in that respect should be in that one place. So I will be continuing with the discussions that have been initiated also with the Minister for Economic Development to pass over the remit for agriculture and fisheries back to the Environment Department where a lot of the work is done.

3.1.10 Deputy A.E. Pryke of Trinity:

Developments for over-55s: will the candidate continue with that policy, especially the need for 2-bedrooms per unit and the requirement of a wet room?

Deputy R.C. Duhamel:

Yes, it is all about quality building. I think the unfortunate thing about the scheme is that it is just for the over-55s. I think I would go one step better and say that we want to be building truly affordable homes for everybody to a sufficient standard, with wet rooms or whatever, for all of the Islanders, and not just exclusively for those who are over the age of 55. It can be done, and it can be done affordably, and certainly I support the Joseph Rowntree ideas on the affordable homes and will be seeking to push it out to everybody.

3.1.11 Deputy S. Power:

What would the candidate do to modify the first Homebuy pilot scheme so that Homebuy mark 2 or Homebuy mark 22 provides affordable housing, either on a shared equity basis, or a deferred payment basis, in 2012, and could he give a few comments on key-worker accommodation?

Deputy R.C. Duhamel:

The Deputy will know that there is a working party and I am hoping that the membership will continue and, as indeed I mentioned in my speech, that other Members will put their names forward to settle the successor scheme to the Homebuy scheme. There are fundamental differences that have not been properly examined before we went ahead to deliver the Homebuy scheme on the one site that we have managed to do it, and that is whether or not we want deferred payments schemes, whether we want proper true shared equity schemes or whether we want the construction industry to be building truly affordable homes. These are the issues that have to be sorted out before we find out which scheme or schemes will be taking the place of Homebuy. Key-worker accommodation is absolutely vital. I led a small party of politicians a number of years ago when Ken Livingstone was in charge of Land and Services to specifically look at key-worker accommodation. It can be provided for substantially cheaper than we provide it for at the moment, and I will be seeking to introduce it to Jersey as soon as possible.

3.1.12 Deputy R.G. Le Hérissier:

It is a customary complaint about Planning, possibly unfair, that there are continual delays - despite the very high fees charged for expeditious turnarounds, continual delays - in processing planning applications and at the same time the department is bogged down with dozens of applications about installing signs, moving signs, *et cetera*. How does the candidate intend to reform this side of the department's work?

Deputy R.C. Duhamel:

In 2 ways. I would agree with the Deputy that in some instances it can be seen that a number of the applications are taking too long. The breakdown of the figures show that the bulk of the applications are being considered within a 13-week timetable. I think the old timetable of 8 weeks was probably a better one, certainly for minor applications we should probably be able to bring the total time down by even more. General Development Orders have just been brought in, in July.

That will mean that there is not a requirement for a planning application, although the building application will still have to take place. By bringing the department into the 21st century, with proper computer links, I think efficiencies will be able to be derived from looking at these applications more speedily.

3.1.13 Deputy G.C. Baudains of St. Helier:

Making a planning application can be extremely expensive and most applicants will therefore seek departmental advice before they start. Could the candidate confirm that he will brief his panel and his departmental officer so they are all singing from the same hymn sheet, because it can be quite frustrating, having sought departmental advice, to then find that your application is rejected as completely unacceptable by either the panel or the Minister.

Deputy R.C. Duhamel:

This is the fundamental reason why I am seeking to bring forward supplementary planning guidance notes so that we can have everybody singing from the same hymn sheet, and also to ensure that, not only the political members of the Planning Applications Panel are properly trained, but indeed that there is further training so that officers within the department are all singing from the same hymn sheet. I have to get the hymn book written first though and it is going to take a little bit of a while to do that.

3.1.14 Senator P.M. Bailhache:

Can the candidate explain why he thinks that really important and perhaps controversial planning decisions should be taken by one person, namely the Minister, rather than by an experienced Planning Applications Panel consisting of 4 or 5 people?

Deputy R.C. Duhamel:

I can. I am saying that I support the Planning Inspector - it is her point of view - who suggested that would be the best way, having looked at modern practice in other jurisdictions, to deal with that. That said, I would not lock myself away in an ivory tower, and if there are items of significance that would require a Ministerial decision to be made, I am quite happy to be advised by my officers, and indeed any other members of the public or any other States Members, before I come to that decision. In any event, I think those larger decisions will be taken after a Ministerial hearing at which those views will be able to be properly aired and discussed.

3.1.15 The Connétable of St. Lawrence:

How will the candidate ensure that all delegated decisions comply with policy?

Deputy R.C. Duhamel:

Well this comes back to a point that was being made before about people singing from the same hymn sheet. If indeed the supplementary planning guidance notes are to be followed, then I would hope that the officers within the department would be following them. Quite clearly, there will be instances where departures will be made, but in those instances I think I will ask for a system of recording within the department to be made to give me advice as to why people are not following proper procedures.

[12:30]

3.1.16 The Connétable of Grouville:

One of my parishioners has an application pending; it has now been deferred month-upon-month for 18 months. Can the candidate please assure me that this will be looked into, that quicker decisions will be made in that department if he is re-elected. Thank you.

Deputy R.C. Duhamel:

I think I know the application you are talking about, but I am probably not allowed to mention it, and should not mention it, because I might be the one who is making the decision. I have taken steps to be in a position to make a final decision within a very short period of time upon re-election, and the applicant has been advised of this.

3.1.17 The Connétable of Trinity:

As you know, I am chairman of the panel, how would the candidate give guidance when it comes to greenhouse sites where development is wanted, when you have, in some parts of the Island, large areas of greenhouses?

Deputy R.C. Duhamel:

We have a number of policies within the Island Plan, which suggest that the glasshouse sites should be seen as a resource for the agricultural industry, so that means that we should not expect them to be kept in a dilapidated condition with hope value for their redevelopment as residential accommodation. I have asked the officers at the moment to prepare me a report, which is looking into the clean-up of some of these sites so that the hope potential can be settled on these sites once and for all.

3.1.18 Senator L.J. Farnham:

When considering a planning application, could the candidate allude to ...

The Bailiff:

Very well, that brings questions to Deputy Duhamel to an end. I will ask Deputy Duhamel to retire with the Assistant Greffier and that Deputy Noel be returned to the Chamber. I invite Deputy Noel to address the Assembly.

3.2 Deputy E.J. Noel of St. Lawrence:

In putting my name forward for another Ministerial post, I am taking a bit of a reputational risk. But sometimes in life you have to take risks if you are to achieve your goals. My primary principal goal is similar to many, and that is to make a difference. I was disappointed to miss out on the Social Security Ministry by just one vote, but politics is not just about one Ministry. I hope Members will appreciate my efforts in trying to seek a Ministerial post and that my persistence is worthy of support. I believe I am in good company as Senator Le Marquand has also had to opt for his second choice. I not only now offer service to Planning and Environment, but also to the Council of Ministers as a team player. So why did I put my name forward for Social Security? I did so because it gave me an opportunity to serve and make a long-lasting positive contribution to Jersey. Jersey has been good to me and my family, not just for my generation, but for many before it. However, I do not regret throwing my hat into the Social Security ring. It does not mean that I have a lesser interest in Planning and Environment. New Members may know that I stood for this post back in July. I have demonstrated a long-standing interest in Planning and Environment. In Planning, perhaps more than in any other role, we cannot please all of the people all of the time. To many in this Assembly, the job is seen as a poison chalice, but I believe in fact that chalice is in fact a cup, and that cup is much more than half full. For those who were not here in July, my green credentials go back many years. My business was one of the very first to be accepted as meeting the eco-active standards when they were initially launched. Eco-active service has had a great success, but we must expand the scheme to include middle-income families. Jersey's economy benefits from these schemes, they form a part of a mini fiscal stimulus for many of our smaller local tradesmen. In fact they also reduce Jersey's carbon footprint. The recent Environment Scrutiny Report celebrates the Environment Protection Team for providing an excellent service on what can only be described as a tiny budget. I broadly support the recommendations of the panel and acknowledge that additional funding is required. I think it is very important for us to look at Jersey's environment in an entirely holistic way. I said back in July that the department has the task of overseeing our Island's environment; that is the air that we breathe, the water that we drink,

the sea in which we swim, and the places where we live and work, and that together these make up our environment. They are what make Jersey special. They are Jersey's U.S.P. (unique selling point) in an ever-increasingly competitive world. My primary reason for wanting this role is to deliver affordable homes via the new Island Plan. However, the Minister cannot deliver the affordable homes on his own, it has to be done in partnership with the Minister for Housing and the Minister for Treasury and Resources. The affordable housing element of the new Island Plan still needs to be developed, it still needs to be brought back to this Assembly and debated. I am one of a number of Members who expressed a wish to participate in delivering the supplementary planning guidelines, and I would welcome any other Members who have a similar interest to join these political discussions. I believe that planning obligations are a better way of achieving benefits when compared to land development tax. More importantly, planning obligations can deliver affordable homes. As an accountant, I understand how this can be done and I can deliver a viable scheme. The Minister for Housing and I make a great team. Recently, together we applied significant pressure on the current Minister for Planning and Environment, making him deliver on a promise to 6 families involved in the Uplands Homebuy Scheme. It seemed that the whole project was going to unravel right in front of their eyes. However, I am pleased to say that those families are due to achieve the dream of home ownership in the Royal Court next Friday, touch wood. But in achieving this, the current Minister has allowed half of the equity, some £450,000, to be retained by the developer. This has an effect of halving his planning gain. As an Assistant Treasury Minister, I would have probably lost my job if I had done the same thing. I believe planning obligations should be paid, not written-off. It is only natural that Island families want to take these first steps on the property ladder and that we, as their elected representatives must assist them in doing so. Affordable homes must be delivered on brownfield sites to protect our countryside, and to prevent rezoning of green fields wherever possible. In the very first instance, we need to look at States-owned land to deliver these affordable homes. The States must lead by example, especially if we expect developers and others to follow. My experience at Treasury and the knowledge gained from having a watching brief on the Health property portfolio, has helped me understand that we have many available sites, which can provide much-needed homes. The older parts of St. Helier have been neglected. With the help of the Constable and the town Deputies, we need to give this area the same sort of attention that we give the Waterfront. I have to watch what I say at this time because, if elected, I would give careful consideration, if a strong case came forward, for delisting the Odeon Cinema, and in doing so I may have lost Deputy Lewis' vote. Planning has its part to play in the current economic climate. Private local developers should be encouraged to invest in Jersey and compete on a level playing field with States projects. This would be a winning formula, creating jobs and a most valued boost to the Island's economy. The Minister therefore has an outright obligation to unblock the planning process. But the Minister should set policy, not decide on individual applications. To ensure an open and transparent planning policy process, all non-delegated planning decisions must be taken by the Planning Applications Panel and not by the Minister. In that, I would like to take this opportunity to recognise the work of the Constable of Trinity as his role as chairman of the Planning Applications Panel. **[Approbation]** I believe that the Minister should sit with his assistant, or assistants, and others, as part of the reconsideration process. In July, officers of the department advised me that a Green Paper proposing to make the appeal process simpler and more accessible would be forthcoming by the end of this year. I am disappointed that we have not seen it. If elected, I will ensure that it is published in the early part of 2012. In June, this Assembly approved the new Island Plan and the North of Town Masterplan, both of these will see us through the next 10 years. It is now the role of the Minister for Planning and Environment and his team to implement those plans. To do so, the Minister needs to be someone who is going to listen, who will act with integrity, and who will deliver. I am humbly asking Members to give me the opportunity to do just that.

The Bailiff:

Very well. So now we move to questions. First of all, Deputy Tadier.

3.2.1 Deputy M. Tadier:

The candidate should first of all be congratulated on his broad portfolio of political interests, first of all Treasury, Health and Social Security, and now most recently Planning and Environment. He also talks about the willingness to serve being an important trait for a States Member. Would the candidate not think it is better to gain some insight into planning matters by serving either on Scrutiny first and/or on the Planning Applications Panel, before putting his name forward for the Minister for this department?

Deputy E.J. Noel:

I have personal experience of the planning application process. Throughout the last 2 or 3 years I have been building-up a fully-fledged eco home, so I have been on the user end of it. I have accompanied the Planning Applications Panel on one of their daily visits. But, to take your point about having many roles, there is a saying that if you want something done give it to a busy man.

3.2.2 The Connétable of St. Lawrence:

The Deputy alluded to it yesterday, when Senator Le Gresley proved to have the edge on him, why does he think that persistence is enough to merit a Ministerial role, and, if it does pay off, and he is elected, how would he successfully lead a department when both the public and the officers know that it is for him his second choice?

Deputy E.J. Noel:

To deal with the second part first - mainly because I have forgotten the first bit - I do not think it is a problem, we have many choices in life. I will put as much effort into the role of Minister for Planning and Environment as I would into Minister for Social Security. I am not a shirker, I intend to do my best for the Island and work at 100 per cent capacity where I can, and if the Constable could repeat the first part of her question I would be obliged.

[12:45]

The Connétable of St. Lawrence:

Yes, I will repeat it. Why does the candidate think that persistence is enough to merit a Ministerial role?

Deputy E.J. Noel:

I do not; I do not agree that persistence is enough to warrant a role. I believe - and I think I demonstrated that - in the questions that I raised for the Chief Minister, that you should have the right people at the right time in the right roles. It is not about whether or not they are persistent or not, it is having the right people.

3.2.3 Deputy G.C. Baudains:

Planning obligations, application fees and also some of the planning requirements that are both unnecessary and expensive are responsible in part for the high cost of first-time buyer homes. What will the candidate do to address that?

Deputy E.J. Noel:

Firstly, planning obligations will deliver affordable homes for our young families. I do agree there is quite a bit of bureaucracy; I have been through it myself, and that is one of the things that I would look at.

3.2.4 Deputy S. Power:

I seek the candidate's views on Homebuy. The candidate will be aware of the first Homebuy pilot scheme at St. Lawrence, and I am sure the candidate does not feel conflicted in commenting on this, but I wonder what the candidate would do to accelerate the provision of affordable housing,

Homebuy, shared equity, or deferred payment, in 2012, and could he give some brief comments on key-worker accommodation?

Deputy E.J. Noel:

Firstly, to progress the Homebuy scheme, we have to get it down in a form that can be brought back to this House, debated and accepted. When that is in place, the quickest way to market, so to speak, is to develop States-owned land and to provide affordable housing on States-owned land.

3.2.5 The Connétable of St. John:

As the outgoing chairman of the Environmental Panel, I am aware of the skills needed within the Environment Department. But I have concerns that both the north of town and other areas of the Island are being prevented redevelopment because of S.S.I.s and B.L.I.s being in place and are cumbersome to remove and are preventing redevelopment of brown areas. Will the candidate be looking at lifting S.S.I.s – and I was encouraged when he just mentioned the Odeon - and also will he be looking at employing local architects on-Island instead of going off-Island for iconic architects?

Deputy E.J. Noel:

I think I indicated in my speech that I am open, where there is good reason to lift, to delist a building, such as the Odeon or others in the north of town, then I think that is something that has merit and should be looked at. With regard to local architects, we have some excellent local architects. They have, over the past 5 to 6 years, really upped their game and we have some world-class architects living and practising and working in the Island.

3.2.6 Deputy J.M. Maçon:

Notwithstanding what the Minister has said about the Planning Applications Panel, there will still be a time, if successful, he will be making determinations on applications, and given that the candidate voted for the sustainable transport policy, can the candidate state what the importance the candidate gives to parking provision in the town zone, which the candidate should know includes St. Clement, St. Saviour, St. Helier and St. Lawrence.

Deputy E.J. Noel:

We cannot stop people having cars. I believe that there should be adequate parking provision for all new buildings, and that really equates to almost one parking space per bedroom. With regards to ... sorry, I have forgotten the first part of the Deputy's question.

Deputy J.M. Maçon:

Thank you, but the candidate has answered it sufficiently.

3.2.7 Deputy T.A. Vallois:

Could the candidate advise how he would improve the enforcement of planning conditions and ensure that unenforceable conditions are not applied to planning conditions going forward?

Deputy E.J. Noel:

That is a very good point. This is something that effectively came up on the Uplands properties; a planning condition was put in place that was not enforceable. That cannot happen. That has to be addressed in the department.

3.2.8 The Deputy of Grouville:

The Percent for Art scheme was enthusiastically pursued by Senator Cohen. What priority will the candidate give this obligation?

Deputy E.J. Noel:

I quite favour the Percent for Art scheme, because it provides our future heritage in some ways. I should be supportive. I would like it expanded; I would like it expanded to include other benefits to the community, and not just necessarily a percentage for art.

3.2.9 Deputy R.G. Le Hérisier:

Can the candidate give his analysis of the strengths and weaknesses of the planning and the environmental sides of the department he might inherit and what will he do about areas where he thinks work is needed?

Deputy E.J. Noel:

If I can deal with the Environment Department first, there is some synergy there to bring that department on to one site, in fact the whole of the Planning and Environment Department should be brought together on one site. That is something I will work with the Minister for Treasury and Resources, if elected, and - I am presuming there will be an Assistant Minister who will be responsible for property services - with that individual as well. Because we do need to move on with the office strategy and Planning and Environment is a key example where the planning and the environment elements should be brought together.

3.2.10 Deputy R.J. Rondel:

I was hoping to get this one into the previous candidate but time did not allow, so it might be a little bit more difficult for the present candidate to answer. Would the candidate give an undertaking that he will make a decision on the proposed J1 Le Masurier development before Christmas in order to show that he and his department are doing all they can to help stimulate the economy and that planning must play their part, as many others are doing, by working harder and more efficiently to deliver results.

Deputy E.J. Noel:

As a potential Minister for Planning and Environment, I cannot comment on a particular live application. However, what I can say is that we need to support our local property developers to deliver new investment into the Island that is going to create jobs and help us in the economic downturn.

3.2.11 Deputy J.H. Young:

I was hoping to ask this question of the last candidate, but I rephrase it slightly: the candidate has given a commitment to bring forward a simpler, more accessible appeals process for planning applications in 2012. Could the candidate please just summarise his views on the limitations of the present system of Royal Court appeals, and could he also give an undertaking that in bringing forward his proposals, he will look at the system of independent full-merits appeals, which operates in Guernsey and has been done for the last 2 years successfully.

Deputy E.J. Noel:

That is exactly the purpose of the Green Paper. The Green Paper, as I understand it, is well under way. I have not seen it because I am not part of the department. With regards to my vision of an appeals process, I would like to see an extension of the referral element, whereby the Minister, the Assistant Minister, and other experts, sit on a panel; that would be one-step for reconsideration. But I do believe there needs to be something in between that and the Royal Court process, purely on the basis that for some people going to the Royal Court could be expensive for them. I do not necessarily believe that is necessarily the case, but it is certainly a perception there that there is a gap and we need to have some type of mechanism in that gap. But that is the purpose of this Green Paper, is to go out and consult on that to make sure that whatever we subsequently produce works.

3.2.12 Senator P.M. Bailhache:

Is the candidate sympathetic to the notion that the Minister should confine himself to the development of strategic policy, the environment, and things of that kind, leaving the determination of individual decisions to the Planning Applications Panel?

Deputy E.J. Noel:

I said exactly that in my speech. The Minister should not act like Caesar with a thumbs-up or thumbs-down on a planning application; he should not see planning applications other than when they come back for reconsideration. All planning applications should go to Planning Applications Panels that are not part of the delegated responsibility to officers.

3.2.13 The Deputy of Trinity:

With developments for over-55s, will the candidate continue with that policy, especially the need for 2 bedrooms per unit and a requirement of a wet room?

Deputy E.J. Noel:

Yes, I will continue with the Pryke conditions, as they are commonly known. I do not believe we should be building any one-bedroom units for life-long homes, because it is not sustainable, it is not a life-long home if it only has one bedroom. You need to have a provision for people to have, if you have a couple living together, a breakout area, so they do not drive each other up the wall, but more importantly you need to provide somewhere for a carer to come overnight and stay so we can keep people in their homes longer. Yes, my time on Health with the Minister has convinced me that wet rooms are the way to go.

3.2.14 The Connétable of Trinity:

Could the candidate give his views on how we cope when we have applications for development on greenhouse sites?

Deputy E.J. Noel:

Under the new Island Plan, if those sites are within the Green Zone, they are within the Green Zone, I am afraid, and that is tough on the landowner.

3.2.15 Senator F. du H. Le Gresley:

Does the candidate think that the economic benefits to the Island of a planning application should ever be allowed to override compliance with the Island Plan?

Deputy E.J. Noel:

No.

3.2.16 Connétable S.W. Pallett of St. Brelade:

Does the candidate agree that garden-grabbing has been and is a problem Island-wide, and, if so, what will he do to stop this practice?

Deputy E.J. Noel:

I think I am almost conflicted there. My new eco house was built in someone's garden. **[Laughter]** So I will dig myself out of that one. It depends on the site. It has to be site-specific; that is all I can say.

3.2.17 Senator P.F.C. Ozouf:

There is a suggestion that the custodianship of the agricultural industry should move to the Planning and Environment Department. Does the candidate agree with that or does he think it should stay at Economic Development?

Deputy E.J. Noel:

The agricultural industry, the promotion of it, the support of it, should stay at E.D.D. It is not part of the Planning and Environment process; it is about stimulus to the economy, it is about supporting one of our keepers of our economy. It has no place to play in the Environment Department.

3.2.18 Senator A.J.H. Maclean:

Would the candidate give his views on the fairly significant rise in planning fees in recent times, and whether or not he feels that this is a barrier to investment, particularly at a time when we need private investment and stimulus for the economy?

Deputy E.J. Noel:

Having just paid out quite a bit of money in planning fees over the last couple of years, I do not see that they are a barrier, especially as you have to take it into the round and consider the type of planning gains that we are going to want for these developers. For private individuals then I think, you know, they have to be at a reasonable level. But when you are talking about property developers, we need to extract some of their profit.

3.2.19 Senator L.J. Farnham:

Notwithstanding that the candidate wishes to change the procedure on how decisions are made, in the short-term he of course would be responsible for that action. I would like to ask, when considering a planning application, on what grounds would the candidate consider a departure from policy?

Deputy E.J. Noel:

Hopefully I will not put myself in the position where I would have to make a decision on a planning application. I would wish that all planning applications go via the Planning Applications Panel. That is what it is there for.

3.2.20 The Connétable of St. Lawrence:

On a similar theme really - and I did manage to put this question to the previous candidate - how would this candidate ensure that all delegated decisions, and I am thinking more at officer level, comply with policy?

Deputy E.J. Noel:

I would be most upset if they do not, because the Planning Applications Panel has to follow the Island Plan and policy, so I would expect at the very least the officers who have delegated powers to do the same. As a mechanism to stop them, I would have to speak to the Chief Officer to see what measures he currently has in place, and see how they can be enhanced to make sure that errors or deviations from the policy simply do not happen.

[13:00]

3.2.21 Deputy M. Tadier:

Currently we use the planning obligations to try and capture some value that is accrued in uplift. Currently that hits the developer and not the landowner, so if not land development tax, which I noticed the candidate voted against, even in principle, what would he use to capture the uplift in value that occurs when the planning consent is granted?

Deputy E.J. Noel:

Planning gains do affect the land value, they do drive down land values, and that is how I would capture any uplift on the landowner, not the development itself, because developers work their profit out and then go back to what their costs are, it is not the costs plus profit, it is what profit

they want, and they work it back, and that is what they would be willing to pay for the land. So it is already covered by the planning obligations.

3.2.22 Senator S.C. Ferguson:

There is a tendency, not always, but sometimes, for planning officers to fall into a sort of Stockholm syndrome relationship with the applicants. How will the Minister address this problem?

Deputy E.J. Noel:

It is really a management problem. It is for the Chief Officer to make sure that does not happen, similar to the question from the Deputy of St. Lawrence. I would sit down with the Chief Officer to review the current procedures that they have to make sure that that does not happen.

3.2.23 The Deputy of Grouville:

What consideration should be given to the local community for schools and transport links when an application of high density is made?

Deputy E.J. Noel:

As I understand it, there has to be an impact study done and certainly I would be surprised if it were to go forward that would not be the case. If it is not something that is a statutory obligation now, certainly I would look at research to see if a statutory obligation such as that could be brought in to cover that situation.

3.2.24 Deputy S. Power:

I think I am going to be beaten by the bell. What would the candidate do to improve the supply of key worker accommodation in 2012?

Deputy E.J. Noel:

I see affordable homes as key worker accommodation. I do not see there is much difference. We need to provide affordable homes. I go back to my original answer where we have to get a clear definition of what an affordable home is, we have to bring it back to the Assembly ...

The Bailiff:

Sorry, Deputy. Then that brings questions to Deputy Noel to an end. So I request that Deputy Duhamel come back to the Chamber. Very well. Could ballot papers please be handed out? Could the ballot papers now be collected, please? Have all Members handed in their ballot papers? Then I ask the Attorney General and Deputy Viscount to count the votes. Now clearly we will adjourn once the result of this ballot is known, but is there any purpose in taking nominations for Health and Social Services before then so Members know where they are? Are you content with that, Senator Gorst, no matter what the outcome of this?

4. Minister for Health and Social Services

Senator I.J. Gorst:

Yes, indeed, I am. The other issue I think I need to raise which the Senior Member can consider over lunch is that it looks likely that we will simply finish the Ministerial appointments today one would hope, and then perhaps we will have to come back on the day allocated for members of panels to do chairmen of panels, and then perhaps find time later in the week for members of panels. But, as I say, hopefully the Senior Member can consider that over lunch. I should like to nominate the Deputy of Trinity for the position of Minister for Health and Social Services.

The Bailiff:

Seconded? [**Seconded**] Any other nominations?

Deputy M.R. Higgins:

Yes. I would like to nominate Deputy Southern.

The Bailiff:

Is that seconded? **[Seconded]** Any other nominations?

The Deputy of St. Ouen:

Yes. I would like to nominate Senator Ferguson.

The Bailiff:

Is that seconded? **[Seconded]** Any other nominations?

Senator A.J.H. Maclean:

Sorry; I do not think you saw my light. Could I nominate Senator Farnham, please?

The Bailiff:

Is that seconded? **[Seconded]** Any other nominations? Very well. So we have 4 nominations for the position of Minister for Health and Social Services.

The Connétable of St. John:

I took note of what the Chief Minister designate said about the election of chairmen for various panels could fall into next week. I have got real concerns that at earlier meetings when I was sitting around the table with my fellow colleagues, chairmen and the Ministers at the Council of Ministers that I was under the impression that we had agreed that no Assistant Ministers would be appointed until the chairmen had been appointed. But I am hearing, and I have been hearing in the anteroom, that people are already being lined up for these positions, and we heard some from candidates already; and therefore we will not have a level playing field if we leave it until after the weekend when we will find that Scrutiny yet again will become just an olive branch that is left to serve on. I think it is totally unfair to the membership.

The Bailiff:

The only point I would make, Connétable, is that under Standing Orders certainly Members are invited to consider whether they want to adjourn immediately after the Ministers are elected so that people can think about who should stand for Scrutiny perhaps after the results of the Ministerial elections, and we are only going to finish the Ministerial posts today. So there is going to be a gap to whenever before we can move on to the chairmen of the various committees.

Deputy M. Tadier:

Can I just add that is exactly why we referred this to P.P.C. (Privileges and Procedures Committee)? My proposition said that we should look at the order and at whether Assistant Ministers should be voted for directly. But ultimately it is unenforceable because people are going to talk in the background and it is up to the individual Members, I would suggest, to decide whether they prefer to be Assistant Ministers or perhaps working on Scrutiny.

Senator I.J. Gorst:

Sorry. I think the Connétable makes a fair point. Of course the only alternative in my mind would be for us to sit late into the night, and I am fairly sure that most Members might not wish to do that. But it would be in the hands of the Assembly.

The Bailiff:

Realistically there are 7 posts up and whether they are all contested or not, if they are contested that is a minimum of about an hour and a quarter per post; that is about ...

Senator P.F.C. Ozouf:

Could it not be the case that Assistant Ministers are not going to be selected or appointed? **[Aside]**
That is the point, that no decision should be made.

The Bailiff:

Very well. I am now in a position to announce the result of the election for the Minister for Planning and Environment. The votes cast were as follows: Deputy Duhamel 27, Deputy Noel 24. I therefore declare that Deputy Duhamel ... **[Approbation]**

Deputy E.J. Noel:

That is becoming a bit of a habit of mine. I would like to give my sincere congratulations to Deputy Duhamel and I would like to thank those Members of this Assembly who voted for me. Thank you. **[Approbation]**

Deputy R.C. Duhamel:

Thank you. I would also like to thank the House for showing their confidence in me and the work begins now. Thank you very much.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Very well. The adjournment is proposed by Senator Routier. It is agreed we reconvene and 2.15 p.m.

[13:13]

LUNCHEON ADJOURNMENT

[14:17]

The Bailiff:

We come now to the election of the Minister for Health and Social Services. So I invite the Deputy of Trinity to stay and Deputy Southern, Senator Ferguson and Senator Farnham to go with the Assistant Greffier. No, I think we are just quorate when we get ... Very well. So I invite the Deputy of Trinity to address the Assembly.

4.1 The Deputy of Trinity:

When this Assembly elected me to the position of Minister for Health and Social Services 30 months ago, I was to become the fourth Minister in as many years. The position was frequently referred to as a poisoned chalice and the department had lacked efficient and effective leadership and were struggling with many complex issues. At that time I underestimated the problems but have not shied away from them and have faced them head on. The most important and fundamental change I undertook was that of management and the appointment of a new Chief Executive Officer who has taken the department forward in providing a safe, affordable and sustainable service for Islanders. I am confident I have the right people in the right place at this time to inspire the staff to continue to give of their best to care for the community. It has been a remarkable transformation. I had to deal with ramifications of the untimely and profoundly sad death of a patient which had necessitated an external and independent external review by Verita. The findings led to 30 recommendations and subsequently, 7 months later, I asked Verita to return for a progress review into these recommendations. Among the key findings I note, and I quote: "Consider good progress has been made and that the hospital is subsequently well-positioned to develop." Also at that time the Williamson review into the care of vulnerable children had been published with 32 recommendations. I was charged with overseeing the implementation. With a £3 million investment we have introduced the Jersey Family Court Advisory Service, strengthened the role of the Jersey Child Protection Committee, created an independent Board of Visitors who monitor standards in all our children's homes on a regular basis, to name but a few. I have also

instigated the first external independent inspection into Looked After Children's Service. Their report will be due out shortly and the findings will be published. The earlier collapse of the reciprocal health agreements - a vital service for Jersey people - had understandably resulted in anger, disappointment and lack of faith in the system. Along with a dedicated team I successfully negotiated a new agreement with the U.K. in April this year. As a result, Jersey people once again can be confident in their care when they are out of the Island. The directive to bring finances within budgetary framework compounded the challenge while maintaining the high standards of care expected. This has been achieved by hard work and the willingness of staff to explore different ways of practice. Added to this is the C.S.R. process which initially preferred a saving of 10 per cent in the Health and Social Care budget, but by fighting our corner with the departments able to reduce this to £7 million. This is a workable solution and achievable in the coming years. Over the last 30 months I have been able to identify the lack of investment into the State portfolio across the departments. I successfully negotiated investments to upgrade the intensive care unit, special care baby units, maternity and main theatres. Also for the £600,000 investment into Brig-y-Don Children's Home. Soon work will start on a new Oncology Unit. On my appointment I quickly identified an urgent need to upgrade Rosewood House and Clinique Pinel. I am very pleased those both have and will have significant investments. But investments not only in buildings. There have been significant investments in staff too, with agreement in the Business Plan to increase the number of nurses at the Jersey General Hospital and across mental health services, and monies to improve the contracts for middle-grade doctors. As chair of the Children's Policy Group, which is comprised of the Ministers for Home Affairs and Education, Sport and Culture I have published the first Children and Young Persons' Strategic Framework for Jersey. The focus of work will change in the way as services for all our children and young people will be delivered over the next years and also working with the third sector. I am determined as chair to deliver a bright future for all our young people and have provided strong political leadership. As you can see, over the last 2 years there has been major acknowledgement that there is a need to invest in all areas of service. This had not happened for many years. I have a background of over 40 years in health and care-setting in the N.H.S. (National Health Service) and 21 years as Home Care Sister for Jersey Hospice Care. But I have been amazed by the breadth and diversity of care provided by Health and Social Services. The responsibility for delivering services covers not only the General Hospital, but includes areas such as mental health, public health, environmental health and all social work. I regularly visit to the wards: Sandybrook, The Limes, Overdale, St. Saviour's Hospital, children's homes and the group homes, and can feel the wave of change in the staff. There has now been a sense of direction. We have a dedicated team of well over 2,500 staff and I would like publicly to thank them for all their work and commitment. **[Approbation]** But what is my vision for the future? There is still much work to do. Health and Social Services is at a crossroads and must face the challenges that are ahead. Working with staff, G.P.s (General Practitioners), childhood organisations, Parishes and members of the public I launched the consultation paper in June *Caring for Ourselves, Caring for Each Other*. We know that we are an ageing population and the number of older people will double by 2040. We must ensure that there are services and resources in the right place to cope with the needs of our older population who play and have played an important part of our society, and we need to be able to care for them. Leading that review, I heard views from the public and staff who attended the meetings and responded to the paper. Over 1,300 Islanders responded and the vast majority, 86 per cent, supported option 3 which is a redesign of Health and Social Services. This is a clear mandate for the future. The next stage will be a White Paper which will outline the redesign of the services to ensure that people are in the right place at the right time to see the right teams. This will involve continuing to work with many organisations which still include the Parishes, charitable organisations, G.P.s and our staff and ensures that the right resources are in place. If elected, I am determined to take this White Paper forward. I am passionate about the Island's health and wellbeing and ensuring that services are in place and are right. There will be difficult decisions ahead, not least whether we should refurbish our present hospital or build a completely new one.

Whatever that decision, doing nothing is not an option. The strategic direction of the department is now firmly on the States agenda and having taken leadership of a highly motivated management team I will lead it forward. I have a history of care and I can make a difference. I will be honoured to continue the work begun by my Assistant Ministers and thank them for their support. It has been a hard and challenging road, but I believe that given the opportunity and with a strong team who are committed to providing the best care, I will make a difference. **[Approbation]**

The Bailiff:

We now come to questions. I call the Connétable of St. Lawrence.

4.1.1 The Connétable of St. Lawrence:

New Members may not have heard the Deputy when she gave her last speech when she stood for this role, but I do remember that her mantra at the time was that there must be a culture change. How has this progressed? What more needs to be achieved, and what is the culture at Health and Social Services today?

The Deputy of Trinity:

I can always rely on the Constable to look back on my speeches. There has been a culture of change and I think I emphasise that in my speech. I think by having a new strong management in place has very much changed the culture, and with the benefit of the report-back 7 months later it has really confirmed that. We have a culture of openness and one of trust and I think basing on that to go forward, and a sense of direction where we are going to go forward, because the challenges that are ahead cannot be brushed under the carpet. The staff recognise that and they want to address that problem very much.

[14:30]

4.1.2 Deputy S. Power:

Could the candidate give the Assembly an indication as to whether her preference would be to refurbish the existing hospital campus or whether she would prefer a new hospital location for the Island, and if so on the latter, would she consider the Waterfront as a suitable location?

The Deputy of Trinity:

I think the main step here is the Island recognising that we do need to do something with the hospital. That is a major, major change and it is vital because it is out of date and it needs some investment. Whether it is refurbishment of the hospital or a new hospital is a difficult decision. I have a feasibility study along with Property Holdings taking place and I shall wait for the outcome before I make that decision. The most important thing is to make the decision, whatever that is, and to get on with it, because we have not got time.

4.1.3 Deputy S. Pitman:

The candidate has talked about the investment that has been put to increasing the number of nurses. I would like to know how much and what investment has been made by her in the terms and conditions including pay for nurses, and what plans does she have for improving or for more investments?

The Deputy of Trinity:

In the Business Plan it was recognised it was investment and I think we have had investment for 53 more extra nurses. Not only the General Hospital, because there was also acknowledgment that mental health services needed some investment in nurses. It is vital and we need to go and take that forward. The investment into terms and conditions: my staff have been negotiating with the States Employment Board because it is them that make the final decision. But also we have got to think of recruitment as well; that is an important area.

4.1.4 Deputy R.G. Le Hérissier:

There was less mention in the Deputy's speech of social services. I wonder ... we heard for example much this morning from an Assistant Minister about the sheer frustration in dealing with Greenfields and moving children out of the prison. Could the Minister tell us why progress has been delayed despite the apparent top level political support, and could she also tell us what are the major initiatives in Social Services?

The Deputy of Trinity:

Social Services is a very wide remit and what has been put in place which was lacking beforehand is a Director of Social Services whose responsibility has changed the management structure so that we have clear lines of children's services, adult services and old services, with C.A.M.H.S. (Child and Adolescent Mental Health Services) which is Children and Adult Health Mental Services going across the remits as well as physio and other therapies. That has made a significant difference, but that takes time. Regarding Greenfields, we are working hard and as the Minister for Home Affairs said, the Youth Justice Policy is a draft that has been in front of Children's Policy Group and we will take it forward; but it is not an easy solution and it will take time.

4.1.5 Deputy J.M. Maçon:

Deputy Le Hérissier grabbed my question, but I shall ask another. Does the candidate believe that in order to help with our child services we should start paying foster carers?

The Deputy of Trinity:

That is a very good question. We have a very good foster carers' place and they do work very hard and they just get funds for the care of the children which they look after. I would like to take that forward and look at paying foster carers to do a good job of caring for our young people. It is something that we have discussed at Children's Policy Group and are willing to take it forward.

4.1.6 Deputy T.A. Vallois:

Could the candidate advise of her view as to how fathers are treated in relation to matrimonial and illegitimate relationships of children's cases and whether fathers should be recognised on an equal par to mothers for the best interests of the child or children in question?

The Deputy of Trinity:

I have the duty to look after all children under my care and that is the most paramount in importance. I know that the Deputy and I have had some discussions about it and I am willing to look at it because I understand that is what they have brought in, in the U.K. I am very willing and open to discuss it with her and see where that takes us.

4.1.7 Senator P.F. Routier:

It is interesting a lot of the questions are revolving around Social Services and I would like to know whether the candidate recognises that the Social Services is a vitally important part of the brief; and in particular regarding respite services for families with children and adults with learning disabilities. I would like to ask if she has any ideas of how this service can be developed in the future.

The Deputy of Trinity:

In the future the Social Services side of the department will play an even more important part because we know the challenges that are ahead. Community-based care is vital if we are to take this forward because I think people wish to be at home. So that brings us on to respite care, and whatever age you are, whether you are a young child or an old person being looked after at home by their son, daughter or whatever, respite is important. As regards your concern... and I know the Senator has great concerns; I met the Senator and other States Members the other day. The respite care for those children with special needs - very much complex needs - complex medical or those

with autism... respite is important, and I have looked at getting a plan in the next 2 weeks to look at short-term issues and also we are going to put a Business Plan in to look at long-term issues because this is not going to go away, and we need to make sure that we plan for it for the future. So long-term and well as short-term is important.

4.1.8 Deputy J.H. Young:

The candidate having launched and being well into an important strategic study on the future of our Health Service; has the candidate formed any views yet as to the relative importance of buildings in the mix of what makes up a good and effective Health Service compared with the other elements: people, organisation, frameworks and so on? Could she give some guidance on her current thinking on that, please?

The Deputy of Trinity:

It is quite wide there. The buildings I think I have addressed with the hospital: we do need a new hospital. But not only that; the whole estates portfolio needs to be addressed. Thinking of mental health services at St. Saviour's, I would like to get all those services off that site into a new, modern site up at Overdale. That is vital because what we have there is not fit for purpose and it is not right. As regarding other estate portfolios, we need smaller children's homes and we have started that with Brig-y-Don and we have 2 other small children's homes. But also, it is just not hospital based as the questioning with the Minister for Planning and Environment this morning. I believe passionately that we should keep people at home. So building the right house from the word go, making sure that you have got enough room to take a wheelchair through, making sure you have got enough room around a bed to take wheelchair, and my passion is wet rooms, I am afraid.

4.1.9 Deputy M.R. Higgins:

A question about staff suspensions. Could the candidate explain what duties and work is being carried out by the consultant who was suspended and then later reinstated in the Elizabeth Rourke case, and at what total cost of his not fully returning to duty has been, and what lessons she has learnt from this experience?

The Deputy of Trinity:

I will not and I cannot go down to the levels there because I have not got that information in front of me. But it is a sadness when any member of staff is either suspended or on restricted duties, and I am pleased to say that we have got no doctors suspended. But at the end of the day, patient safety is the most important thing and we should never, ever forget that. **[Approbation]**

4.1.10 Senator P.F.C. Ozouf:

In her last term, the Minister appointed a Ministerial Board to assist focus management on implementation and a Ministerial Oversight Group. Will she continue with both of those boards to assist her in her work?

The Deputy of Trinity:

Absolutely. Ministerial Oversight Group - the strategic reform redesigned the services. It should not be just for one department. It is a huge mandate and we do need that support from the other Ministers because it is going to affect everybody and we need to make sure that we get the right services at the right place for the right people.

4.1.11 Deputy T.M. Pitman:

Talking about patient safety, I have now got 3 constituents suffering damage to nerves following operations in the hospital and brain damage. Is it the hospital's policy to just ignore these people, having seen one of the letters - a very rude letter - from the Director, people who cannot afford expensive lawyers? Is it the policy just to ignore them until they go away and give up or perhaps die of old age? As I say, 3 people; I am one politician.

The Deputy of Trinity:

I cannot, I will not go down into particular areas. Every one of us, every Islander is important, and they are entitled to good treatment. That is what is provided within the Health and Social Services Department and I am very proud of it.

4.1.12 Deputy S. Pinel of St. Clement:

Would the candidate agree that communication and co-operation with the voluntary and charitable sector is vital and could be improved?

The Deputy of Trinity:

I would like to think in every department in every way communication can always be improved. There is never, ever enough of it, and as we go forward charitable organisations will play an even more important part and they do a valuable service now. We give nearly £9 million to charitable organisations to provide care. As we go forward for the Strategic Review we need to make sure that they too are fit for purpose, and also with the right resources - right financial resources - which we need to make sure.

4.1.13 Deputy R.C. Duhamel:

Is the candidate willing to work with the Minister for Planning and Environment to determine the best options for a relocated or new hospital in spatial planning terms?

The Deputy of Trinity:

Yes, of course. I always like to work with everybody. That is just me, because, yes, it will take an awful lot of work to decide whether we want a refurbished hospital or a new hospital. But I stress again, doing nothing is not an option. Whichever way we go down, we have to deliver it and we have to find the resources to be able to deliver it. But it is not going to come cheap.

4.1.14 Deputy S. Pitman:

I push again on the issue that I asked before, because under the current Minister's tenure the nursing staff were extremely disappointed with the support they are getting from her. I would like to ask again what proactive measures the Minister is taking and plans to take if successful in maintaining existing nursing staff?

The Deputy of Trinity:

When I walk around the hospital and St. Saviour's, I value my nursing staff. They have a great part to play and they are given every support that is required. Retention is a problem and it is not only down to pay; it is down to the cost of childcare and in some ways that is by having a childcare allowance in the budget that has helped. But also our staff accommodation; that is another area. Staff accommodation is well below standard. But also, if a nurse is going to come from the U.K. and it is their choice to go to a brand new hospital or our hospital, which would you go to?

4.1.15 The Connétable of St. Lawrence:

I must apologise to the Deputy for coming in a couple of minutes after she had begun to speak. Following on from that, she may have already addressed this in her opening remarks, but I would like to know what is the right site for a new hospital?

[14:45]

The Deputy of Trinity:

What is the right size? As I said, we are doing a feasibility study on whether we should refurbish or rebuild. Until that is through I would not like to make any comment, because I know there are some members on the management team who would go for refurbishment and some would go for a

new build. But I stress again, I am pleased this is high on everyone's agenda, and also I stress again, doing nothing is not going to be an option.

4.1.16 The Connétable of St. Mary:

Would the candidate be able to assure me that no matter which option is taken regarding the hospital's future, that something will be done to address the issue of access, because that has been the bane of many of my constituents' lives and surely must be the only hospital anywhere with a car park at the opposite end of the building from the entrance?

The Deputy of Trinity:

Indeed, and I know the Constable has asked me many times about that. I totally agree with her. It is not right. Whether we refurbish, if we do refurbish, having a link straight across from Patriotic Street car park into the building would be one way. But parking and access for the disabled - if you are disabled or coming up to outpatients there is only a little area, and that is not right.

The Bailiff:

Deputy Young, did I see your light on or was it an accident?

Deputy J.H. Young:

Apologies; I failed to turn it off.

4.1.17 Deputy S. Pitman:

Income Support have reduced their provision for G.P. visits, and I have asked the Minister this before. If she is successful, will she make an undertaking to monitor those members who otherwise would go to the G.P. who are on income support but feel they have to go to A. and E. (Accident and Emergency) to use the service?

The Deputy of Trinity:

We know that when we did the Green Paper with all the evidence behind it, we know that A. and E. is used by some people in the way that it should not be used. But I can absolutely understand why because of the cost of going to the G.P. But we will be addressing that in the wider sense of things when we do look at the strategic framework, because just doing one area will also have a rippling effect and not achieve what we want to do. But the cost of going to a G.P. is great over here and it is a problem that we need to address, and I need to address with the Minister for Social Security to see if we can have a better way forward. But the last Assembly did some major work on the change of G.P., the revalidation and medical prescribing. It will change things, but it will not change over night.

4.1.18 Deputy J.M. Maçon:

Has the Minister taken the chance to talk with union representatives regarding the success or otherwise of the serious concerns policy, the whistle-blowing policy?

The Deputy of Trinity:

There is a whistle-blowing policy in place and every member of staff should be aware of it, and it does I understand go straight through to the States Employment Board if I am correct.

The Bailiff:

That completes questions to the Deputy of Trinity. So I ask the Deputy of Trinity then to please go with the Assistant Greffier and we will ask Deputy Southern to come next. Very well then. I invite Deputy Southern to address the Assembly.

4.2 Deputy G.P. Southern:

I will start where I started the other day with a brief statement about leadership. It is important I believe that politicians should lead the team that they are heading up. In order to lead one has to know where one wants to get; one has to have a vision. You have to know something about, too, who you are leading. In this case it is made relatively easy because we have got a document outlining where we have to get. Members will be relieved I have not brought the 700 pages of the underlying document, but only the summary today. Unless anybody here has read it, I will say I have not read the entire 700 pages. Deputy Duhamel has, so no doubt he will have a really awkward question for me and for everybody, I hope. But what it says is that our health service is under severe pressure. Not only are we talking about annual costs rising from around £200 million to £393 million, doubling in 20 years; that is without inflation. Put inflation on to that, 2 per cent for 20 years. Uh-uh, no, put medical inflation on that, which is running much higher than ordinary inflation. Let us say 5 per cent for 20 years and the numbers become quite staggering. Now, the principle I bring to this debate - because there is no arguing about where we have to go - is how do we pay for this? That is the essential principle that we must decide on in the relatively near future: how are we going to cope with the demographic change and then build-in inflation into that? My principle says that services, wherever possible, should be free at the point of delivery. User pays I do not see as an option. That is not the way forward. Why do I say that? Because it has become clear to me in my work on Health and Social Services Scrutiny Panel that already user pays, where we have it with our G.P.s, is causing problems for many people in our society, not just the relatively poor but the elderly, who have a high demand for G.P. and medical services. They are worried about the costs of their G.P. and they avoid going to the G.P. if they can possibly help it and they make themselves more ill thereby and cost more because of a user pays principle. That is not the way forward. When we look at this particular document, it discusses how the costs might be funded: "These funding pressures are faced by countries around the world and there are different models of healthcare funding." It goes on to say: "Insurance. A social insurance scheme whereby people pay to a fund that specifically raises money for health and social services." It is important there, I think, that money raised for Health and Social Services is ring-fenced. Now, we have already had an argument between Social Security and Health over what was described as raiding the Health Insurance Fund. But it is ring-fenced and if people know that it is going towards healthcare then I think people are prepared to pay for it. It must not go in the general pot. We talked about taxes; by increasing general taxes or sales taxes we could create extra revenue for Health and Social Services. This was a recommendation of the Oneness Report in the U.K. Now, in addition to income tax, for those who can afford it to pay a little more is, I believe, a fair way forward. It then goes on to say: "Direct contributions from people. People already pay for their visits to the G.P. In order to generate more funding this amount could be raised. We could introduce user pays charges in lots of places." I believe that is not the way forward and I would fight any rise in user pays services for our hospital or health services. But why do I start there? Why, because the previous Minister for Health and Social Services took a different line and in our report on the Comprehensive Spending Review we quote her: "This may mean consequential changes to the public for some of our existing services. To facilitate this I intend to bring before the States a new law, the Health and Social Services Charges (Jersey) Law." So, directly opposite from where I wish to see us proceed. Quite willing to bring in extra additional user pays charges. Where are those charges going to be charged and why did this Minister for Health and Social Services fail to bring the detail of these charges to the States in time for the Annual Business Plan, a singular and spectacular failure? Everybody else had their plans all laid out. We voted on them. Health and Social Services failed to do the scoping documents, failed to transmit what it was they were planning and how it was going to be delivered, so we voted blind on these particular things. This encourages me to stand because this was a spectacular failure on behalf of the Minister for Health and Social Services. We go into some of these: "Patient transport review. Scoping exercises will be undertaken as a priority some time in the future. Introduce an A. and E. charging mechanism - user pays - a scoping exercise will be undertaken at some later date." A. and E., already I have seen doctors say: "You cannot be charging in A. and E. deciding one from the other,

you get charged, you do not get charged, you get treated, you do not get treated.” That is no way to ask doctors to behave. “Review thresholds for travel to the U.K. for elective surgery, user pays.” Again, elective surgery is not cosmetic surgery; it is essential operations that you need to travel for because you cannot get them here. “Surgical specialities, non-urgent cosmetic procedures, user pays” and then finally: “Income generation initiatives within community and social services.” What are we talking about there? We are talking about occupational therapy services to be paid for, some form of charging in there. Very dangerous ground, to be avoided if we can. But at some stage the Minister said: “I bring these forward to you and maybe you will get to see what we plan this time.” Maybe she will bring the law, we do not know. So, what is happening in Health and Social Services at the moment? Well, the Minister has done her best to defend her budget but she cannot deny that there are clear indications that cuts in services are being made. Physiotherapy, 3 posts removed, waiting lists have gone up from one to 5 weeks in some cases, from one week to 12 months for some treatments. I heard yesterday one person telling me how she has a letter from a G.P. referring her to see the neurology specialist. She has been waiting 8 months already. She expects to wait another 8 before she gets to see that particular specialist. She is in pain, not heavy pain but it needs doing, but it is an 18-month waiting list. She said to me: “It would be easier for me and quicker to go the U.K. and present the referral letter to a G.P. and I would get seen quicker in the U.K. than in Jersey.”

[15:00]

Now, that is a shameful position. Now, of course: solutions. We have to involve the third sector if we are going to deliver in the community, which is the way forward outlined in the future paper. If we are going to do that, we have to have clear 3-year or 4-year funding packages so that people are not waiting from year to year to see their funding, and we have to have clear and tight service level agreements with targets to be met along the way. We, of course, could co-operate with private deliverers but again those must be tight packages. We cannot go down the mistaken route that the U.K. did of private finance initiatives - P.F.I.s - where hospitals end up costing 3 times what was originally planned and we pay through the teeth. That is ruled out and that will do for me.

The Bailiff:

You have to stop now, please, Deputy, sorry. Very well, then we come to questions. Senator Ozouf.

4.2.1 Senator P.F.C. Ozouf:

Having been a Scrutiny chair, the candidate will have a good idea of the budget for Health that he wants. What is the growth request for Health for the next 3 years that he will be asking the Minister for Treasury and Resources for if he is successful?

Deputy G.P. Southern:

I do not know, I have not worked it out yet. There will be a growth budget, though, I believe. In the long term what we have to do is defend ... what I will do, is defend fiercely spending on health and I will be asking for inflation-plus, inflation proofing of ... and I may not get it but I will be going for it, believe you me, because that is what I believe the Minister for Health and Social Services should be doing. Yes, it is expensive. Nobody says it is not. It is going to be expensive.

4.2.2 Senator P.F. Routier:

Can the candidate express his views on the importance of social services and, in particular, of respite for families with children and adults with learning disabilities and say how he will develop respite services for these vulnerable families?

Deputy G.P. Southern:

I am aware that respite services are under tremendous pressure. I believe they have been subject to cuts to respite services. The demand keeps going up. I do not have solutions to how that is done. I know there is a reform going on and a reorientation of respite care, but I do not know the details of that. Nonetheless, it is an important factor which must be covered.

4.2.3 Deputy J.M. Maçon:

Just to further that, the candidate if successful will become responsible for Health and Social Services. What are the candidate's top priorities within Social Services?

Deputy G.P. Southern:

There are 2, obviously. Is that somebody else's question? There are 2. The demand for health and social services occurs in early years, in childhood, neonatal, and in elderly years, so we have to prioritise services in the home, if possible, for the elderly but particularly preventative measures for children with initiatives like the Bridge. Early intervention is the best form of cure.

4.2.4 Deputy R.G. Le Hérisier:

Would the candidate outline whether he has been involved in any efficiency programmes and, if so, irrespective of that would he tell the House where he sees efficiencies as being realised within the Health and Social Services Department?

Deputy G.P. Southern:

I am informed reliably that the hospital is already adopting a thing called lean methodology, which is supposed to be more efficient at getting people into treatment and then out of treatment appropriately. I believe initiatives are already working there. I believe there is scope for a reduction in management posts. It seems to me we must have some outcomes that are measurable, but the number of managers in the health service seems to me to be somewhat over the top. Reductions, if they are going to be made, must not be made to front line staff but must be made in the management structure.

4.2.5 Deputy S. Pitman:

Where does the candidate feel that the previous Minister has failed in investing in the terms and conditions, including pay, of nursing staff and what are his plans to improve these terms and conditions?

Deputy G.P. Southern:

Members will know that I have been involved in looking at this particular issue and this is a short-term issue. The Minister for Health and Social Services has had 2 reports in the last 2 years, one by Income Distribution Services and one by Tribal. The first one said on average they were 17 per cent behind the equivalent pay level in inner London, which was a comparator, and the other said that it required £4.3 million in pay and conditions improvement to get them to some sort of parity in order that recruitment and retention rates could be maintained on the Island. The fact is that until recently we had a 10 per cent vacancy rate. It has come down a little now towards the 5 per cent mark, but the 5 per cent mark is the trigger mark where nurses are coming here to look for work, look at the vacancy rate, and anything around the 5 per cent they know it is not worth coming here. We find it very difficult to recruit and retrain. What we have to do is engage on a long-term process to discuss what the right level is in order that we can recruit and retrain nurses, especially in specialist areas, and that requires a serious negotiation looking at a 3 to 4-year package which can restore us and make sure that we can recruit and retrain the skills we need. At the moment we cannot.

4.2.6 The Connétable of St. Lawrence:

What is the candidate's view of the culture at the hospital and is change necessary?

Deputy G.P. Southern:

The culture at the hospital among the staff on the ground level is good, although I believe there are signs that morale is reducing because people see that services are being cut, services are not as good as they were, waiting times are going up and this dispirits people. Individually, the people who are delivering the service maintain an excellent morale. However, it is at risk because of cuts.

4.2.7 Deputy T.M. Pitman:

Unlike 2 of the candidates, I acknowledge that the Deputy has displayed a keen interest in this area with his scrutiny work. Nevertheless, I am sure he would agree it is a huge department that demands a team, so does he have any thoughts on who he would hope to include in that team? No, I do not want the job but I am interested in how he would delegate those duties as well because, as I say, it is a colossal area.

Deputy G.P. Southern:

I think people that have worked with me know that I appreciate teamwork. More than one head, more than one brain is much better at producing proper solutions. I would be inclusive. In the words of Deputy Martin earlier, there would be no shocks to the team. I would expect there to be 2 Assistant Ministers because I think it is a 3-person job. I would be, as I say, inclusive. There would be no secrets and I would share decision making on a very open basis. So management of a team is absolutely vital and clear communication at all times, not just inside ... we often get stuck talking to each other or talking to other Ministers. What we need to do is communicate clearly to the public. That is the thing that very often Ministers fail to do and it is absolutely essential.

4.2.8 Senator F. du H. Le Gresley:

How would the candidate improve the dental health of Islanders?

Deputy G.P. Southern:

I was engaged in a dental health review with Deputy De Sousa only 6 months ago and we found that the regular inspections of children's teeth in particular had been abandoned. I believe they have been restored now as a result of our actions and our recommendations and I think that preventative work early on is absolutely essential. There are also questions which need to be addressed about ... again, this is a typically Jersey thing. We set up a scheme and we appear to have something covered and then we ignore it for years and years and years and it becomes less and less valid. We need to review the entire dental health scheme for our young people to make sure that we are appropriately funding it.

4.2.9 Deputy R.G. Le Hérissier:

At the moment, a large proportion of the residential care needs and the nursing care needs for the elderly are bought by the States from private providers. Does this go against the candidate's philosophy of involving the private sector and would he bring it back within the public sector?

Deputy G.P. Southern:

No. As I said in my opening remarks, there is no reason why we should not be co-operating with the private sector as long as we have tight service level agreements and tight contracts to see what we are getting and markers along the way to make sure that what we are paying for is being delivered. No, I see no merit particularly in saying it is always public over private or private over public. That I believe is a stale argument. As long as we co-operate properly with the proper targets I think it can be made to work.

4.2.10 Deputy S. Power:

Could the candidate give his views to the Assembly on whether the existing hospital campus should be or could be refurbished to the standard that we all understand needs to be done or would he

consider a new hospital build and, if that were the case, would he consider the Waterfront as being a suitable location?

Deputy G.P. Southern:

My impression from talking to some health professionals is that the hospital is no longer the right base for delivering hospital services in the 21st century and that, in fact, a fresh site needs to be found. We would be much better off, instead of trying to adapt what we have there, which is creaking at the hinges and is not designed for a 21st century hospital, we would be better off with a fresh site. As to that site, I think it should be fairly central, obviously, but other than that I have not given it any thought at this stage.

4.2.11 Senator P.F.C. Ozouf:

Could the candidate explain why he has ruled out refurbishment of the hospital on the site and adjacent sites as opposed to green fields? Who has advised him?

Deputy G.P. Southern:

I have spoken to a number of health professionals who work at the hospital, who say that it was designed for a different era and refurbishing and re-jigging it is inappropriate. We would be much better off making a fresh start with something that is specifically designed to do the job today.

4.2.12 Deputy T.M. Pitman:

[Aside] Could I ask the candidate if he is at all disappointed in the pattern that has unfolded, with all the progressive candidates making a pitch for Ministerial position around 20 people have not bothered to come in at all to listen to what he has to say?

Deputy G.P. Southern:

I am practically in tears. [Laughter] But so it goes. I have been in this House 10 years and, boy, was it hard 10 years ago. Nobody understood what I was saying half the time. They just looked at you and went: "What does he mean? What is that about?" Now at least I think people do listen and I am sure they are listening outside to every single gem of a word.

4.2.13 Deputy S. Pitman:

I know the candidate is well aware that there is a reduction in the provision for G.P. visits in income support and I would like to know ... he is also aware that because of this A. and E. visits have increased. I would like to know how he would tackle this if he was successful.

Deputy G.P. Southern:

Yes, it appears that Income Support are phasing out H.M.A.s (Household Medical Accounts). We used to have H.I.E. (Health Insurance Exemption), which gave some people free medical visits and free prescriptions. I believe something like that has to be restored at some stage because at the moment we are frightening people off going to visit the G.P. If we are to have more emphasis in the future in delivering in the community with primary healthcare then we must do that.

[15:15]

While I am on relationships with Social Security, I was discussing with the Social Security Chief Officer the other day and he was saying we have to decide what we are going to do with the Health Insurance Fund, the £17 million or £18 million worth of that. He believes that it would be better off under Health, delivering health directly and controlled by Health, rather than under the shared... it delivers some health services but is controlled by Social Security. So I think I would go along with H.I.F. (Health Insurance Fund) being transferred into Health where it can deliver better, I think.

4.2.14 Senator F. du H. Le Gresley:

I am tempted to make a speech but ... As we currently have a pan-Island Medical Officer of Health and Health Protection Manager, does the candidate have any ideas where future working with Guernsey could benefit the department and save money?

Deputy G.P. Southern:

Presumably, the aims of any health officers in Guernsey are pretty much identical with the aims of any health officers in Jersey, so there is absolutely no reason why we should not share particular people between the 2 Islands. It has worked for, I think, the J.C.R.A. I would see absolutely no reason why it should not work in health promotion.

4.2.15 Deputy S. Power:

I know the candidate is a French speaker. Could he share his views with the Assembly on whether the health service, Jersey's primary health ... the health service should consider more co-operation and use of French university teaching hospitals in Caen, Rennes and Nantes for operations and surgery?

Deputy G.P. Southern:

It is one of those where you are tempted to have an answer, yes or no, yes or no. I have not considered that in any particular depth. I personally see nothing wrong with that. Certainly, the health service in France is absolutely excellent - top of the range - but extremely expensive. Now, my problem with that would be what about the costs? Because the quality... no doubt about it. If we could use them then that would be fine, but where are the costs and how would we negotiate that arrangement? It is a way forward but one I would be neutral on and do not give instant answers.

4.2.16 Senator P.F.C. Ozouf:

The candidate spoke of the cost of G.P.s in addition to taking control of the Health Insurance Fund. Could he elaborate on his proposals for G.P.s? Is he proposing an N.H.S.-style system for G.P.s in Jersey?

Deputy G.P. Southern:

No, not at this stage, but what we must be doing is making sure that visits to G.P.s are affordable - they are becoming unaffordable - and particularly in targeting certain groups. It is the elderly and children and neonatal that need those services most and that is where we should be looking to make sure that people are not frightened of going to the G.P.

4.2.17 Deputy T.M. Pitman:

If elected, would the candidate endeavour to do more to try and co-ordinate attendance at hospital from elderly people who perhaps one day they are told they have to come for X-rays, then another day they are going to have come up for a blood test? Would he try and investigate to see whether efficiencies could be made? Certainly, from a personal aspect this could improve the life for the patient.

Deputy G.P. Southern:

Indeed, and I believe that that sort of co-ordination is what is meant by lean methodologies. You come and you have 2 or 3 appointments on the same day, you are seen and you are dealt with properly, and not one appointment on different days.

4.2.18 Deputy J.M. Maçon:

Patient safety must be paramount. Is the candidate of the view that the whistle-blowing policy or the serious concerns policy is up to scratch and, if not, how should it be changed?

Deputy G.P. Southern:

I am glad that bell went. Again, this is a difficult one. As I understand it, and in any institution, there are always problems about confidentiality and whistle-blowing. I have not heard particularly that it is a serious problem in the hospital, although I can see that it might be. I do not have a plan for improving it in any way, but it is certainly something that wants to be checked out. I would certainly commit myself to doing that and making sure that people were aware. Certainly, in the U.K. hospitals there is an obligation to report whoever. If you spot malpractice or bad practice, as a health professional you are obliged to report it. Now, I do not know that we ought to go that far, but that is certainly the way in the U.K.

4.2.19 Deputy R.G. Le Hérisssier:

Given the frustration expressed this morning, what would the candidate do about the Greenfields situation where a triumvirate of 3 Ministers still has not resolved the issue of moving young offenders out of the prison?

Deputy G.P. Southern:

I would find 2 other heads and bash them together until we came up with an answer. We have to act on this. It is no good shifting the responsibility. The triumvirate did not work when it was invented 7 years ago. If we still have that it should be resolved and it should be one Minister's responsibility. That means it will be accountable. The justification for that continuation is non-existent, I think.

4.2.20 Senator P.F.C. Ozouf:

What is the candidate's position on the Child Protection Committee?

The Bailiff:

No, I am sorry, Deputy, we will never know your views on that matter. Very well, could Deputy Southern please withdraw then and we will ask Senator Ferguson to come to the Chamber. Very well, I invite Senator Ferguson to address the Assembly.

4.3 Senator S.C. Ferguson:

Our health service must be provided in an efficient and effective manner to all Islanders and this must be without their fearing the costs. We must provide a truly integrated healthcare service available to all Islanders. The President of the Royal Society of G.P.s recently spoke of the necessity of bringing care back into the community, of treating the patient as the focus of our overall care system. It is not enough to talk about patient safety. We must look at our system from the patient's point of view. In management speak it is called empowering the patient so they understand their condition. So our goal is the provision of a service which meets the patient's needs and which the patient understands and which meets their wishes. Our current health model is not coherent. We pay for primary care and our secondary care is free. We have to improve our primary care facilities to reduce the necessity for expensive secondary care. Free secondary care, however, encourages abuse of things such as A. and E. services and a careless approach to outpatient appointments. For years, the focus at Health has been on secondary care, the hospital. We discussed *New Directions* to death and now we have the KPMG report which recommends restructuring. We have to stop having reports and act on the recommendations. We need to look at the N.H.S. healthcare delivery and we have to look globally at what is most appropriate for our community. Work done for the Commonwealth Fund shows that we have something to learn from Switzerland and the U.S. There is good work being done, but the scrutiny reports indicate that many of the savings proposed are salami slicing. From the H. and S.S. (Health and Social Services) Panel report many have not been scoped. There has not been a rigorous assessment of core services. Where are we going? Good primary care results in healthier populations and reduces health costs - a win-win situation. The papers which I have had delivered to your desks give an indication of patient-centred better care, lower costs. Primary care includes social services, the

third sector, G.P.s, pharmacists, nurse practitioners and other health professionals, but we need good information and communication. These are the key to getting the agencies working together. The G.P.s are the lynchpin of a person-centric system. Multi-agency work streams have started in dementia care, childcare and early intervention, drugs and alcohol, step up/step down facilities, and these will lead to an integrated system once we have the information. For instance, 53 per cent of medical admissions to the hospital are over 65 but we do not have sufficient data to make an analysis. This is why we need an integrated I.T. system throughout the whole of the department. Technology will also be useful and will help empower the patient and we will make savings by monitoring chronic conditions at home. About £8 out of every £10 spent on long-term conditions in Jersey by H. and S.S. is spent on chronic conditions which have become acute. Telemedicine is, therefore, a saving for acute services, a saving for the patient, with fewer visits to the surgery. The biggest advantage is that the patient takes control of their condition. The downside is that it might affect G.P.s' income, but this would free-up G.P.s to offer other services such as antenatal services. The evidence is that this gives you healthier babies and mothers. If we look at community and social services, which have been the Cinderella service, the Jersey Child Protection Committee is well established but it must be put on a statutory basis so that it has more credibility.

[15:30]

We probably need to look again at the U.N. (United Nations) rights of the child. The revamped Community and Social Services Department has already restructured around the people being served rather than the activity, putting the patient at the centre. They are now looking at improving how they work and it would be a good moment to include business transformation, and when I spoke to the Director he bought into that. We have a fragmented third sector. When I was chairman of the Health Grants Sub-Panel, we suggested charities reduce admin expenses by pooling resources or by merging. Property Holdings looked at ways of putting accommodation for charities within property schemes. We can discuss this as part of improving communications with the charities. We have excellent front line staff, but we need to modernise the structure. It is too hierarchical. We need less command and control and more communication, not just down to the front line but listening to the front line. General funding is an ongoing problem. I am known as somewhat of a hawk on expenditure but it is more that I hate waste. Badly designed systems waste money. Every time that an outpatient appointment is missed, that is a waste of money; your money, our money, taxpayers' money. The problem will be to sort out primary care financing so that those who would benefit from it are not prevented by the costs. This could be accommodated in G.P. funding but we need to address this as a joint task between H. and S.S., Social Security and the G.P.s. It may even require setting up an insurance scheme or perhaps a personal account which is paid to during working life, as they are looking at in Australia. We do have to address the question of maintenance and a possible hospital replacement. My understanding at the moment is that the sale of the St. Saviour Hospital site will fund some of the new buildings needed by Health. Why me? Why should I do this? For those new to this Assembly, I have an undergrad degree in engineering and an MBA from Columbia University in New York. I came to Jersey in 1968 and worked in the finance industry as an auditor and as a regulator at the J.F.S.C. (Jersey Financial Services Commission), but I also have a family who are nearly all health professionals: grandfather, mother and 3 sisters. I spent 3 years on the Health Committee, 3 years as the chairman of the Public Accounts Committee and 3 years as the chairman of Corporate Services Scrutiny Panel. I was also one of those who were pushing for a committee of inquiry into the events surrounding the nurse at the hospital. I also have practical experience of the system through looking after my mother at home for 6 years when she was stricken with dementia. Just for good measure, in attempting to arrive at the truth I have applied everywhere for information but in scarcely an instance have I been able to obtain hospital records fit for any purpose of comparison. If they could be obtained, they would enable us to decide many other questions besides the ones alluded to. They would: "Show subscribers how their money was being spent, what amount of good was really

being done with it, or whether the money was doing mischief rather than good.” Now, things do not change. That was Florence Nightingale in 1873. We need to modernise our system because some of that really applies to us. The work is being done but we are not there yet. I have the financial knowledge and experience that in this time of austerity will help in the whole process of reforming healthcare. We cannot continue business as usual. I do not play politics. This is too important. There is a job to do and I want to get it done. It is not time for the safe pair of hands and steady-as-she-goes. It is a time for vision and change. I ask for your support for the chance to achieve my vision.

The Bailiff:

Yes, then we turn to question time. Deputy Trevor Pitman.

4.3.1 Deputy T.M. Pitman:

It is quite wide-based, this question. Coming out of the school suspensions review that my panel did, and indeed the vulnerable children review which I was vice-chairman of, one of the recommendations was obviously social workers being in schools. Now, I know that is protected initially but does the candidate support finding funding for that long term?

Senator S.C. Ferguson:

I think there is a whole good body of work going on. I think there is great enthusiasm for early intervention and using staff where we can prevent situations from getting acute. I am very much in favour of this. It is much better to catch any problems young. We have a very good child protection team. There is a trainer with them who is doing a fantastic job of work. She has a lot of experience and she really knows her stuff, and they are really getting this going. We need to make sure that our staff are trained to recognise the symptoms. I think this is the hardest thing, recognising the symptoms of where there is perhaps a dysfunctional family situation or a child is having problems. The more we can catch this when they are young, the better it is. As they say, give me a child until he is 7 and I have him for life, so let us catch him - or her - before he gets into the bad habits by 7.

4.3.2 Senator P.F. Routier:

Can the candidate express her views on the importance of social services among the important things that the department has to do in comparison to the hospital and, in particular, with regard to respite for families with children and adults with learning disabilities and say how she would develop the respite services for those vulnerable families?

Senator S.C. Ferguson:

Yes, I agree. As I said in my speech, social services have been the Cinderella of the Health and Social Services Department but they are an incredibly important part of primary care. As I have said, my aim is to use primary care, keep people out of acute situations. Now, respite services are absolutely important. I understand the plans to use the St. Saviour monies to improve the respite service, but there is a point that sometimes respite services are better in the individual's own home. So, again, we have to see what the patient wants. Perhaps it is better to keep the patient in their own home and perhaps the carers can have a holiday and have time off. We have to fit the situation...

The Bailiff:

A little more concise if you would, Senator.

Senator S.C. Ferguson:

... to the people involved.

The Bailiff:

A little more concise so we can get lots of questions in.

Senator S.C. Ferguson:

It is a big department.

The Bailiff:

Yes, and there are lots of questions, I am sure. Deputy Power.

4.3.3 Deputy S. Power:

The candidate will be aware of the many opinions expressed on the condition of the fabric of the existing hospital campus. Could she share with the Assembly her views as to whether the reinvestment that is needed in the fabric of that building should be used on that campus or whether she would consider a new site for a new hospital, possibly, as has been suggested, on the Waterfront?

Senator S.C. Ferguson:

Yes, there is this decision to be made. I think we have to start perhaps looking at the hospital possibility but you have to bear in mind that if we get primary care going properly then we are not going to need as big a hospital. There will be less need, so we have to balance it. Primary care is aimed at reducing secondary care, so we have to look at that. Obviously, the real nitty-gritty problem is financing. We have heard about public/private partnerships for financing, but as perpetrated in the U.K. this has been a licence to take millions from the taxpayer. I think before we get involved in that side of it, we need to think about it. We should perhaps learn lessons from the incinerator debate. It is an unfortunate conjunction, but basically we have to look and say: "Is it the right size for the Island?" There were lessons to be learned there; we need to learn them. There are all these factors to take into consideration. I agree about the state of the fabric at the hospital. It was one of my selling points in my hustings speech when I was standing for Senator. The windows opposite the path lab in the old building are about to fall out. They need looking at. Anyway, it is fairly complicated, this, but we need to look at it.

4.3.4 Senator P.F.C. Ozouf:

The Green Paper set out 3 visions or options for the future of healthcare. Which does the candidate favour?

Senator S.C. Ferguson:

Obviously, the one where we have to reform the health service. In the KPMG report it is scenario 3. However, I think we need to do more than just the bare bones as set out in the KPMG report. We need to think seriously about how we keep the patient at the centre because dry-as-dust accountant-speak does not always bring into the picture the importance of looking at what the patient wants and keeping them in primary care. Example 3 in the papers I had handed out just before lunch, Velcro man, that is an occasion where they listened to the patient. It was a win-win for everybody. It is that sort of approach that we have to have here.

4.3.5 The Connétable of St. Lawrence:

Does staff morale need to be improved and, if so, how would the candidate achieve this?

Senator S.C. Ferguson:

I agree it needs to be improved. The reports I get back are very much a climate of fear. Nobody dares say anything because if they do their heads will be chopped off. This is really part of what I was saying about communication and getting over this command and control culture and this very hierarchical structure we have. It is very much a bit like the army. I am sorry, there are few occasions when you need that. I have had discussions with the new States Human Resources Director, who comes from a health background and is very keen on looking at the structure of the

States as a whole, not just ... I do not think I am quoting him out of turn. He understands health and he certainly agreed with me that we need to look at the structure and we need to involve the staff very much more. We need to listen to what is being said by the front line staff because the best ideas for reforming the system will come from the front line staff, it always does.

The Greffier of the States (in the Chair):

Could you try to be a bit more concise, Senator? You are giving us very long answers but there are lots of Members waiting. Deputy Le Hérissier.

4.3.6 Deputy R.G. Le Hérissier:

There have been some absolutely disastrous I.T. programmes started in the N.H.S. Unbeknown to a lot of Members, there is an enormously expensive I.T. programme making its very laborious way here to completion. I wonder if the candidate could comment on that programme and, if she were to be Minister, how would she re-evaluate its effectiveness?

Senator S.C. Ferguson:

I think I must have been having the same feedback as the Deputy. I think the first thing to do is to see if it is working, how it is working, and to obviously discuss this with the head of I.T. As Members will know, I brought an amendment to the Business Plan to transfer I.T. back to the Chief Minister's Office because it is very much a strategic asset of the States. I think we need to get together on that and get the Director and the health team together and let us just have a look at it.

[15:45]

Because at the moment I only know what I am getting from hearsay and until I have looked at it and seen what the problem is I cannot judge it. I know that as yet it has not been extended to the Social Services Department and if we are going to have a proper system we need to have it throughout the Health and Social Services Department, not just round the hospital.

4.3.7 Deputy S. Pitman:

What more can be done to support young carers, many of whom go unnoticed by Social Services?

Senator S.C. Ferguson:

I think this follows on from Deputy T. Pitman's question because it is a question of recognising when they are carers. It is a curious thing that when you are a carer you do not think about it like that until somebody says to you: "Oh, you are a carer." I think with a lot of the children they do it and it is part of their way of life and it is a question of educating the professionals with whom they come into contact - the teachers - on the concept of a social worker at the schools, the youth club, so that people recognise the symptoms of somebody who is caring, because I think some of the young carers do a fantastic job. They are unheralded and unsung and we really need to look after them because they are absolutely fantastic.

4.3.8 Deputy J.M. Maçon:

Is the candidate of the opinion that the whistle-blowing policy - the serious concerns policy - is up to scratch and, if not, how should it be changed?

Senator S.C. Ferguson:

I think it is all part of the culture change that we have to have in the States. It is not an uncommon problem. Whistle-blowers are not very popular wherever they work. We have made attempts to make it a little more objective by having the Comptroller and Auditor General as the reporting point if you cannot go through to the States Employment Board. But I think it does require the sort of culture that does not mind criticism. You have to take criticism. Not necessarily damning criticism, but if somebody comes along and says: "Look, we can do this better or we can do this",

when people put their head above the parapet at the moment they are getting it chopped off. We need to change the culture so people feel able to raise concerns without being afraid of the consequences.

4.3.9 Senator F. du H. Le Gresley:

How would the candidate improve the dental health of Islanders?

Senator S.C. Ferguson:

I think this is something that we need to educate people on. There is obviously a question of funding. If we can get the sort of savings through changing to primary care and other methods of dealing with health delivery, then perhaps we can have some spare money to put into the dental service, which the Minister, whoever it is, will have to discuss with the Minister for Social Security in order to get a scheme going. It is obviously something that comes within the primary care umbrella, and I think it is one of those areas where the 2 Ministries overlap. Whether we have somebody who ... we pick up the idea of Senator Breckon about the mobile dental surgery, whether we have something that goes round the schools, but as with all things we need to discuss where the funding might come from.

4.3.10 The Connétable of Trinity:

I am a regular visitor to see patients in hospital. Would the candidate agree with me that the nursing care on the wards is excellent?

Senator S.C. Ferguson:

I think we have some very good front line staff. I think there are occasions when perhaps everything is not quite what we want, and I think there are a lot of front line staff who do put the patient at the centre. What our problem is is that we are not co-ordinating the treatment of the patient. The whole basis of a decent healthcare system is that there should be co-ordination through the G.P. They are the lynchpin. You get people in hospital like Alf, the Velcro man, where every agency deals with him and nobody gets the right story. The occasions of patients not being fed or perhaps not getting drinks of water do not occur as frequently as they used to. I was probably responsible for the introduction of the red trays for patients who cannot feed themselves because of the complaints I made, but basically, as I say, I think the front line care is good but like everything else we can do it better.

4.3.11 Deputy J.P.G. Baker of St. Helier:

Does the candidate support the use of practice nurses in G.P. surgeries? If not, why not? If yes, who would pay for them?

Senator S.C. Ferguson:

I think the concept of practice nurses, whether as part of the work done by Family Nursing and Homecare or whether as part of the G.P. surgery, is a very useful addition to the primary care range of services. As far as paying for them is concerned, it means that they will be part of the G.P.'s practice but they will do some of the more basic things and it will not cost as much to the person going to the G.P. to have the service.

4.3.12 The Connétable of St. Mary:

The candidate referred several times to the cost of missed appointments but I could not make my mind up whether she was proposing to recoup the cost from the patients. Could this be clarified and does the candidate appreciate that very often people, especially the elderly, miss their appointments precisely because they are ill, as I found out when I pursued this as part of the *J.E.P.'s (Jersey Evening Post)* Public Purse campaign some 6 years ago?

Senator S.C. Ferguson:

Well this is the whole point about having information. If we do not know why people are missing appointments, if they are just careless with them that is one thing; if they are missing them because they are ill then that is another thing. But these are things that really, as I say, should be coordinated by the G.P.s and with better information we would understand it. We need different ways perhaps of reminding people of their appointments; I understand there are text messages now a couple of days before you go for an appointment to remind you that you have an appointment. On the other hand, is it that we are booking appointments in outpatients that perhaps are not necessary, that could be done as part of the primary care with the G.P.? I do not know; we have not got the information. We need to have more information about what is happening and why it is happening.

4.3.13 Senator P.F.C. Ozouf:

The candidate is effectively asking us to sack the current Minister. What has she done wrong?

Senator S.C. Ferguson:

I think that is very unfair, I am not asking him to do that at all, I am just saying that I have a vision, I have ideas, I have the background, I have the experience, I have the knowledge, I want to get it going; I can see where I want to go.

4.3.14 Deputy R.G. Le Hérisier:

Given the furore about the high wage culture in Health and Social Services how would the candidate review this matter?

Senator S.C. Ferguson:

I am sorry, could the Deputy repeat it?

Deputy R.G. Le Hérisier:

Given the furore about the high wage management culture in the health service, the unwillingness of the department to change it and simply to stonewall people when they ask questions; how would the candidate approach this issue?

Senator S.C. Ferguson:

I think this is all part of the ...

The Greffier of the States (in the Chair):

Well, he will never know. [Laughter] Very well, I will ask Senator Ferguson to withdraw with the Assistant Greffier and ask that Senator Farnham is summoned to the Chamber. Very well, Senator Farnham, when you have caught your breath and you are ready please address the Assembly.

4.4 Senator L.J. Farnham:

It is not a very good advert for the job of Minister for Health and Social Services, puffing and panting up those stairs. Thank you, can I start by saying how pleased and privileged I am to be back in the Assembly this time with an Island-wide mandate and I must say I am immensely proud to have achieved that. As many of you will know I served as a Deputy for 6 years from 1999 to 2005 during which time I gained valuable experience in the operation of the Assembly and the Government of our Island, albeit from within the committee system, although I cannot help but feel that I am in familiar and hopefully friendly surroundings. During my time in the States I served as President of the Gambling Control Committee and brought the first major reform of gaming legislation to the States in 2005. I also served as vice-president of both the Economic Development and Harbours and Airport Committees. In addition I chaired and served on various other committees, boards and trusts including the Jersey Tourism Board, which I chaired from its inception in 2002 until 2005, achieving good results and growth for the sector. From a career point of view I must tell you that I am not a lawyer like Senator Le Marquand, I am not even an

accountant like Deputy Le Fondré opposite; but I have spent most of my time working with lawyers and accountants as I have a background in business. By that I mean 25 years' experience at the front line of running and operating local business, a fairly large organisation employing hundreds of staff and it has at times been tough, especially over the last few years. I would say that business in the current climate is certainly not for the fainthearted. Nevertheless, I have persevered and bring with me very valuable experience in running organisations and delivering results within tight financial constraints and tough economic conditions. I have recently relinquished the vast majority of business interests and directorships to focus primarily on politics, to focus on my role as a Senator. In other words I am ready, willing, able and eager to play a part in the Government of our Island. I made it very clear during the election process that if successful in obtaining an Island-wide mandate I would seek Ministerial office. As the Assembly is aware I was offered and accepted the Chief Minister designate's nomination for the position of Minister for Home Affairs, however, the result of the vote for Minister for Treasury and Resources meant that Senator Le Marquand had an opportunity to stay in his former post; a position with which I was prepared step aside to allow him to retain his position and continue his good work on the Council of Ministers. I also have a great deal of respect for the Deputy of Trinity, she is a very able and caring person and has delivered a worthwhile and welcome period of stability together with a good blueprint for the future of Health.

[16:00]

However, the next 3 years are going to have to be a period of significant change. Health and Social Services is, if not the biggest, one of the biggest organisations in the Island and the size and sheer scale of the budget with expenditure of £193 million and income of approximately £22 million means that the department is going to require a firm and businesslike approach if we are to restructure and modernise the service. Also it is worth reminding Members that Health and Social Services is likely to embark on the largest ever capital project the States has seen and its oversight will require business acumen and an understanding and oversight of project management; both areas where I have proven experience, more recently in the involvement with - from concept to completion - a £36 million hotel development. The capital expenditure to which I was referring is of course in relation to the urgent need for a new hospital, and to be clear I favour a new-build which will consolidate all core services as much as possible under one roof. There is also an opportunity to relocate departments and release valuable land, including the Gloucester Street site and at St. Saviour to generate funds towards a new development. The Green Paper released in May of this year, which I have here, is an excellent, detailed and well thought out piece of work but it ultimately presents 3 very clear scenarios. Scenario 1 is business as usual; this scenario is both unaffordable and unsustainable, generally due to the demographic pressure which would mean capacity would start to be exceeded as early as within the next year. The pressure this would put on buildings and staff would simply be unacceptable. I will take this opportunity to pay tribute to the Health staff and the report is very complimentary about the staff and the morale and the dedication. However, to give the Assembly an idea of the feeling of recently speaking to a dedicated member of front line staff, they said to me that working in the hospital was a little like having a hangover without having been to the party. I think that sort of sums it up, sums up the pressures that some of these excellent staff are under working within the current facilities. Scenario 2 is living within our current means. This is potentially unsafe because the current projected funding proposals to 2020, assuming inflation at plus 2 percent for 3 years and inflation only thereafter would be £178 million compared with £171 million in 2010; whereas the cost of continuing the current service like for like would be £211 million in 2020 and £320 million by 2040. The shortfall would lead to a critical reduction in services and even closures. Scenario 3 is for a new model for health and social care but this involves a completely new approach. Some of the principal features of this approach include a greater integration between all services; standardisation of processes; joint working between GPs and consultants; greater use of non-institutional social care, to name but a few. This

scenario would involve substantial change to the existing model and organisational structures, it would also require capital investment for a new hospital and other institutional care. This is not only the route that I support, I believe that it is the only viable option and it must be begun as soon as possible. I would like to talk briefly about care and the provision of care and I will share with you a personal experience. About a year ago my father was diagnosed with Parkinsons; in May of this year he was admitted to care. Right now he is in Beech Ward at St. Saviour being medically assessed. The staff we have encountered on the way have been exceptional, the care has been exceptional. The facilities have been difficult but I admire - and my family admire tremendously - the way in which our situation has been managed. This experience has served only to confirm to me the undeniable value of care in our society and underline that there can be no compromise in the provision of care. In our community, as well as caring for ourselves we have to care for each other and I would like to take this opportunity to pay tribute to the third sector to which no monetary value can be placed. I have had discussions recently with a number of front line and senior health staff about the type of political interaction that is desirable between the States and the Health Service and the general response has been that they would like to work with visible and accessible politicians; and I would stress that this is not criticism of the existing Minister and Assistant Ministers, but if successful today I pledge to be a visible and accessible Minister; I pledge to be an accessible and communicative Minister. I will be dedicated and committed to the job in hand, but above all I would like this opportunity because I care deeply and passionately about Jersey; I care deeply and passionately about the people of Jersey, and they deserve the very best Health and Social Care service that the States can deliver. Thank you.

The Greffier of the States (in the Chair):

Very well, we come to the questions.

4.4.1 Deputy T.M. Pitman:

I never like to ask awkward questions but we have been through 4 Ministers for Health and Social Services in around 4 years, it is obviously a huge and demanding department. The candidate mentioned his past time in the States; now according to figures I was sent, out of 300 votes in his last year of office he was A.W.O.L. (absent without leave) for around 100 of them; how will he cope with such a huge department if he is successful?

Senator L.J. Farnham:

Well things were rather different in those days. If the Deputy looks beyond the number of votes I participated in he will see that in my 6 years in the States there were 257 States sittings, I attended 243 of those and I think that record of attendance speaks for itself. But for the avoidance of doubt I have committed myself purely to politics and I wish to serve my role as a Senator with dedication.

4.4.2 The Connétable of St. Lawrence:

I was just doing some foot stamping there when you called me. The candidate intimated that morale would be improved by a new hospital build. As that may take some time how would the candidate improve morale in the meantime?

Senator L.J. Farnham:

I think the very fact that the States have been concise, the States have made a decision, the States have decided on the way they are going to go will be a tremendous boost for morale. The Health staff are extremely robust and I think once they know the future and once they are aware that we are going to embark on the recommendations in this blueprint then I think morale will raise instantly. As I said, the Health staff are robust, dedicated and professional and I think they will work with the system until we reach the goal.

4.4.3 Deputy S. Pitman:

In support of his standing for this position the candidate said that he had experience in running large businesses, i.e. I believe hospitality and retail; running these businesses in tough economic times and running them successfully. How, I would ask the candidate, does this compare to running a hugely complex department responsible for the mental, physical and some social needs of 90,000 Islanders?

Senator L.J. Farnham:

I bring with me, I believe, a skill at running organisations. I am very interested in strategy, the principles of running businesses large or small, and organisations are similar and the dedication required is the same and I can promise that dedication. None of us here in politics are health professionals, none of us are experts and we have to rely on professional advice to deliver the skills on the front line and I will be doing just that.

4.4.4 Deputy S. Power:

The candidate has given the Assembly a clear indication of his preference for a new hospital build rather than trying to renovate or rehabilitate the existing buildings on the existing hospital campus. Has he given any thought, therefore, to the possible location of this new hospital build and has he given any thought to the Waterfront as a possible site?

Senator L.J. Farnham:

Yes, a good question. Overdale keeps coming up again and again when a new site is mentioned; I had not thought about the Waterfront. But in a recent trip to Europe I was driving through the lower part of Italy, the region known as Umbria, and in the middle of nowhere came across the most magnificent purpose-built hospital with superb vehicular access geographically positioned between major towns and cities. The idea was so simple I wondered why we had never thought of it ourselves; that this hospital delivered far greater value to the region simply because it was all under one roof and its geographical location; and I think on a much smaller scale we need to adopt a similar approach here, whatever the location may end up being.

4.4.5 Senator P.F. Routier:

Can the candidate express his views on the importance of Social Services within the portfolio of Health and Social Services; and in particular services for respite for families with children and adults with learning disabilities and if he does think it is important how he would develop the respite services for these vulnerable families?

Senator L.J. Farnham:

I have to say that since it has only been this morning since I decided to vie for this position I have had not had a chance to think of everything. My brief experience, as I alluded to earlier, with my father and the dementia and the care we were giving him really opened my eyes to the importance of this and it is something that needs to be a very high priority, and again I would seek professional advice. But as I mentioned in my opening speech, care and the care of our people is something that we cannot compromise on.

4.4.6 Deputy J.J. Maçon:

On that note, patient safety must come first; can the candidate tell us what his opinion is of the whistle-blowing serious concerns policy, is it up to scratch and if not, what should be changed?

Senator L.J. Farnham:

I have not read the full policy. The principle of whistle-blowing, although I do not like the phrase, I think it can be a responsible and dutiful way to act and I will certainly need to do a lot more research on the current policy.

4.4.7 Deputy M. Tadier:

Although we live in an affluent Island we do not have free access to G.P.s; we do not have free or even affordable dentist care and we are considering bringing charges in for accident and emergency visits. Can the candidate say whether he would support these; first of all whether he supports introducing a fee for A. and E. or does he support free access at the point of entry for all Islanders and if not why not?

Senator L.J. Farnham:

I do not support additional fees for services such as Accident and Emergency, I think they should be provided to the community as they are now. As for G.P.s, again, it would have to take some serious reorganisation of the budget to introduce a service like that, I would like to see it; we have - for the number of people over here - a large number of G.P.s and I am not sure how economically beneficial that is. I would like to see it but I think the cost could be prohibitive.

4.4.8 Deputy R.G. Le Hérisier:

Could the candidate confirm he went to Italy in order to study economics and, secondly, could he confirm how he would seek to reform the culture of the Health and Social Services Department so it was open to new thinking, new innovation and there was a light touch as opposed to a command and control management system?

Senator L.J. Farnham:

The first part of the question, yes, it was an economic visit, a study into the production of wine from the region; and a very successful one too. I think it is certainly not the role of a politician or a Minister for Health and Social Services or an Assistant Minister for Health to get involved with the management of the Health and Social Services Department. The key - the secret to success - will be in the new model and the new structure. In the interest of keeping my answer brief, I really would find it difficult to expand on that without keeping everybody waiting a few more minutes but I think you understand the principle.

4.4.9 Senator F. du H. Le Gresley:

As we currently have a pan-Island Medical Officer of Health and Health Protection Manager, does the candidate have any ideas where future working with Guernsey could benefit the department and save money?

[16:15]

Senator L.J. Farnham:

There are, as many Members will know, lots of opportunities to work and collaborate with Guernsey and save money. This could certainly be one of them. Speaking to consultants and health specialists, they also believe that Jersey and Guernsey could specialise in different areas of medical excellence as we share facilities with the U.K. and perhaps Europe. So I would think along those lines we could look at joining officers and joining forces on such projects and be more efficient and deliver better value for money.

4.4.10 Deputy T.A. Vallois:

Could the candidate advise of his views as to how fathers are treated in relation to matrimonial and illegitimate relationships of children's cases and whether fathers should be recognised on an equal par to the mothers for the best interest of the child or children in question?

Senator L.J. Farnham:

Well again I am not an expert in that particular field but I am a father and I am still married and I do have children and I am a fair person. My view on life is of opportunity for all and I would think, yes, I think there needs to be fairness and equality in such situations.

4.4.11 The Connétable of Trinity:

Would the candidate agree that the care that patients receive in all areas of the hospital is of a high standard?

Senator L.J. Farnham:

Yes, I would go as far as to say that in most of the instances it is of an exceptional standard.

4.4.12 The Deputy of St. Ouen:

The candidate mentioned that in order to deliver the substantial change identified in scenario 3 of the Health and Social Services Green Paper a new hospital is essential. Can he explain why this should be the case?

Senator L.J. Farnham:

I have come to that conclusion from discussions with health professionals and I will give you some examples; working in the hospital now with small corridors and poor ventilation is difficult. The risk of the spread of infection is also prevalent simply because the wards are difficult to keep clean to the standards required to reduce the spread of infection and as a result patients are having to go in the private rooms, that means the private rooms are full and potential income to the hospital is reduced and so on.

4.4.13 The Connétable of St. Lawrence:

How many Assistant Ministers would the candidate choose and what areas of delegated responsibility would they be given?

Senator L.J. Farnham:

Thank you, a very good question. I am of the opinion, and I said also during the election process, that I felt that there should be more Assistant Ministers and I would support any amendment - I think it is the Troy amendment - which prohibits a number of Assistant Ministers. A large department like Health needs a strong political team; I will certainly be looking for Assistant Ministers with keen experience or a keen interest in the provision of Health or Social Care. It is difficult to say how they could be split up at this stage because there are changes ahead, but I think a lot of deliberation needs to go into allocating portfolios for the Assistant Ministers.

4.4.14 Deputy S. Pitman:

Why was it only this morning that the candidate became passionate about this subject and decided to stand?

Senator L.J. Farnham:

I did not just become passionate this morning; I have been passionate for a long time about Health. In actual fact Health and Education were the 2 jobs that I wanted and I said it publicly during the election process. I explained the reason why I decided to stand this morning and that was because I accepted the Chief Minister designate's nomination for Home Affairs; but Health or Education were always my first 2 choices and I am pleased now to have the opportunity.

4.4.15 Deputy M. Tadier:

Does the candidate find it strange that we have from the most recent incumbent an option paper with only one option; that is to say 2 of the other options are not viable and, therefore, not options; and would the candidate if he were elected produce at least 2, perhaps 3 options, which were workable to put forward for proper consultation?

Senator L.J. Farnham:

Yes, the Deputy makes a good point. They are not options, they are scenarios and I think the third scenario could be turned into a number of options; that scenario could be split up and you could

have different options based on that scenario. The first 2 are scenarios based on doing nothing and the second one based on living within our means; if we try to run what we have now with the budget that is allocated it will simply be impossible. So the answer is, yes, scenario 3 we could create options out of that and I would certainly look to explore that.

4.4.16 Deputy S. Power:

Notwithstanding the candidate's recent visit to Italy, the candidate will be aware of the increased specialisation in surgical and clinical procedures; would he consider using the university teaching hospitals closer to our nearest neighbour which is in Caen, Rennes and Nantes?

Senator L.J. Farnham:

From my point of view, yes, but of course I would have to take professional advice; but my inclination is to say yes.

4.4.17 Deputy R.G. Le Hérisier:

If the candidate did accept the decision of the Council of Ministers that there should be cutbacks and that these should involve cutbacks in staff conditions and perhaps salaries, how would he deal with this issue?

Senator L.J. Farnham:

I will fight for the best outcome for Health. I have said that there are elements of the Health and Social Care service that cannot be compromised and I think my past track record will show I am not afraid to put my head above the parapet and I will - while respecting the authority of the Council of Ministers - be prepared to fight our corner at Health very hard indeed.

4.4.18 The Connétable of St. Lawrence:

What are the candidate's views on the current Minister's proposals to introduce user pays charges for some services?

Senator L.J. Farnham:

I think I alluded to this before; I am not familiar with all of the proposals but I am generally against the principle of user pays within the echelons of our health service. I think we should deliver at least the core and essential services free of charge to the people of Jersey wherever we can.

4.4.19 Senator P.F. Routier:

Would the candidate consider, when looking at the overall budget for Health and Social Services, whether it would be worthwhile protecting and ring-fencing the budgets which are allocated to Social Services so that if ever the hospital needed more funds that the funds allocated to Social Services were not raided.

Senator L.J. Farnham:

Yes, I think that is a good idea and this is perhaps something that the States should do as a whole. In the past I think it has been inappropriate that Economic Development has been challenging Health and been challenging Education for the same funds. I think in portfolios such as Health there does need to be ring-fencing to protect core and important services.

4.4.20 Deputy M. Tadier:

Does the candidate agree that spending on healthcare necessarily has to go up beyond the cost of living for the foreseeable future, if only to cater for an increasing population and an ageing population, and if not by user pays charges, how will he seek to fund this increase in funding?

Senator L.J. Farnham:

I think this is the whole concept behind the third scenario. What the report is saying is that we cannot stay as we are because of the locations of our health estate, if you like, with premises all over the Island, unsuitable facilities; it is costing. I spoke of infection in the wards which is utilising private rooms, which is reducing income. I think if we can find the right option out of Scenario 3 that gives us the correct facilities there are huge savings, there are huge economies, there are huge opportunities for us to deliver that within the proposed budget.

4.4.21 Deputy S. Pitman:

Going back to Deputy Le Hérisssier's question in relation to nurses; would the candidate tell us how he would improve the terms and conditions, including pay, for nursing staff?

Senator L.J. Farnham:

I must declare an interest because my mother-in-law is a nurse and she has been since the 1960s but she probably would not like me telling you that so perhaps we had better move on. But no, I have spoken to nurses and I have come to understand that while pay is important, for most people it is not the most important issue. **[Interruption]** I think concerning the issue of pay for nurses, the most important thing to attract people to the health service is giving them the right facilities. From the people I have asked; that is what they want first and foremost. Second to that, we have to make sure that they have the right level of pay and the right level of conditions and of course I will do everything in my power to ensure we have the best people.

4.4.22 The Connétable of St. Lawrence:

What is the Senator's view on the Scrutiny function?

Senator L.J. Farnham:

I think the Scrutiny function is vital and I look forward, if successful, to being very well scrutinised.

4.4.23 Deputy M. Tadier:

Very quickly, does the candidate think that he is the best candidate for this job? Did he think that yesterday and does he also think he is the best candidate for Home Affairs and for any of the other positions which he may have contested? At which point did these claims ...

Senator L.J. Farnham:

Oh, please could I answer that?

The Greffier of the States (in the Chair):

We did allow a couple of extra seconds, so I am told. Very well, we will ask the Deputy of Trinity, Deputy Southern and Senator Ferguson to return for the ballot, please?

The Connétable of St. Mary:

Can I ask in the interlude, as I am one of the only Members here who seems to be doing much spotting today, could we ask for the fines generated today to go to Children in Need? **[Approbation]**

Senator A.J.H. Maclean:

As it is such a good cause, perhaps we could double-up today? **[Laughter]**

Senator P.F. Routier:

That is exactly what I was going to suggest. Here is £20. **[Laughter]**

Senator A.J.H. Maclean:

Can I use the opportunity to apologise to my colleagues in the House, but I have been feeling unwell for the last 2 days and need to go to a medical appointment at 5.20 p.m., so I may miss the final vote, for which I apologise?

The Greffier of the States (in the Chair):

Thank you, Senator. I am not sure if the collecting tin for Children in Need is still in the Members Room but I am sure it will be grateful to receive the contribution from Senator Routier and anybody else who ...

Senator P.F. Routier:

It will be there soon.

The Greffier of the States (in the Chair):

Very well, I will ask the Deputy Viscount and the usher to distribute the ballot papers. Very well, we will ask for the ballot papers to be collected, please. Have all Members placed their paper in the ballot boxes? I will once again ask the Attorney General and the Deputy Viscount to act as scrutineers.

[16:30]

Chief Minister designate, if we look to the 4 candidates as well, would it be opportune to take nominations for the Minister for Transport and Technical Services. Do any of the 4 candidates have any objection to taking nominations for T.T.S.? It appears not and so I invite you to make your nomination for Transport and Technical Services.

5. Minister for Transport and Technical Services

Senator I.J. Gorst:

I should like to nominate the Connétable of St. Peter for the position of Minister for Transport and Technical Services.

The Greffier of the States (in the Chair):

Is that nomination seconded? **[Seconded]** Are there any further nominations?

The Connétable of St. Lawrence:

Yes, I should like to nominate Deputy Kevin Lewis for the role of Minister for Transport and Technical Services.

The Greffier of the States (in the Chair):

Is that nomination seconded? **[Seconded]** Are there any further nominations for Transport and Technical Services? Very well, we will have to await the result of the ballot before we proceed to that appointment. Do you wish, Senior Member, to say anything at this stage about the way forward?

Senator P.F. Routier:

Firstly, I am now wearing my Children in Need badge; I have paid my fine. Certainly, I am not sure how we are going to go. We have 2 candidates for this next position, which is going to take us until perhaps 5.45 p.m.

The Greffier of the States (in the Chair):

We may possibly have further ballots for Health.

Senator P.F. Routier:

I am sorry, yes, so even 6.00 p.m. possibly. Perhaps if we were to see what nominations we had for Privilege and Procedures and then decide if anybody wants to stay a bit longer to achieve that. I can see a lot of shaking heads, so unless we were to try a vote on that to see if anybody wanted to stay any later.

The Greffier of the States (in the Chair):

It is a matter for you. It is perfectly open to you to propose that the Assembly should sit late for that appointment, if you wish to test the mood.

Senator P.F. Routier:

To test the mood of the House, just to see, I propose that we stay after 6.00 p.m. to do Privileges and Procedures Committee.

Deputy M. Tadier:

Can I just say on that, I will be putting my name forward as one of the candidates for Privilege and Procedures and I will not be here this evening so that may influence Members one way or the other? **[Laughter]**

Senator P.F. Routier:

In those circumstances I do not think it would be fair to proceed if there is a candidate.

The Greffier of the States (in the Chair):

So, you are proposing that we defer until?

Senator P.F. Routier:

Until Tuesday, I presume. We have some other matters to deal with on Tuesday with the remainder of appointments but I propose we start again on Tuesday and then we will, perhaps, have to consider later in the week to conclude if we have not finished.

The Greffier of the States (in the Chair):

If I could just turn to the Chief Minister designate, I think you alluded this morning that there was some concern raised about the matter of appointment of Assistant Ministers. I do not know if you can address the Assembly on any instructions you are planning to give to Ministers over the weekend perhaps, Chief Minister designate?

Senator I.J. Gorst:

Yes, I think I can give an undertaking that I will not make any formal delegations or approval of Assistant Ministers until after the chairmen have been chosen.

The Greffier of the States (in the Chair):

Very well.

The Connétable of St. John:

Given that some Ministers that have been elected have already made or given the details to this House of their preferred candidates, what the Chief Minister has just said is, in fact, making a mockery of the whole set-up. **[Approbation]**

The Greffier of the States (in the Chair):

Just to point out from the Chair, Deputy, under the States of Jersey Law no appointment can be formalised without the approval of the Chief Minister who has given the undertaking to the Assembly he will not give that approval. Now, politics will be politics and discussions will no doubt be held.

Deputy J.A. Martin:

On 2 points of that, reading on Standing Order 117A - the adjournment after the Ministers - I just want clarification. Is it that we will come back at a later time on the same day or 9.30 a.m. on the next working day? Well, every other person's working day would be Monday, that is my point. Secondly, the Chief Minister designate has just stood up and said he would make no formal appointments of Assistant Ministers but he has already made his own 2, so is he really already starting off with one rule for himself and the rest for the others? It has been announced in the paper; he has 2 Assistant Ministers in the Chief Minister's Department. Is this true or not?

Senator I.J. Gorst:

Indeed I have asked those 2 individuals if they would be willing to serve but it is my understanding that in actual fact I do not have the power to appoint or approve any Assistant Ministers until the Council of Ministers has been approved by this Assembly, at which point I will become formally become the Chief Minister and it is after that point that I would have the power to accept Assistant Ministers, and therefore I am saying I will not formally accept Assistant Ministers until after the chairmen have been approved. If that is not the situation then I stand to be corrected.

Senator P.F. Routier:

With regard to the next working day being Monday; I understand that this Chamber is being used by 2 primary schools on Monday and they have put in a lot of work in preparing for that day and it would be a great shame to put them off, I believe, so I think Tuesday really, practically, we should treat that as being the next day.

The Greffier of the States (in the Chair):

I think Members have had something to think about, but no doubt we will come back to it before we adjourn this evening but I am sure Members are waiting for the outcome of the ballot, which I am now able to announce to Members. The Deputy of Trinity received 22 votes, Deputy Southern received 9 votes, Senator Ferguson received 11 votes and Senator Farnham also received 9 votes. Now, in accordance with Standing Orders, there will need to be a ballot between Deputy Southern and Senator Farnham to ascertain which one of them withdraws if they both wish to remain in the election.

Deputy G.P. Southern:

Nine is 9. It is a good number and I will withdraw. **[Approbation]**

The Greffier of the States (in the Chair):

Very well, Senator Farnham, do you wish to remain in the ballot?

Senator L.J. Farnham:

I think I am going to get all of Deputy Southern's votes, so I will stay.

The Greffier of the States (in the Chair):

Very well, there will now be a further ballot between the Deputy of Trinity, Senator Ferguson and Senator Farnham. I will ask the usher and the Deputy Viscount to distribute the ballot papers. Very well, we will ask for the votes to be collected. Very well, once again we will ask the Attorney General and the Deputy Viscount to count the votes. Now, do Members wish to await the result of the ballot? Perhaps we had better do. Yes, very well.

Deputy R.G. Le Hérissier:

Apropos what Senator Routier said, is there a possibility of a compromise; can we start Monday afternoon?

The Greffier of the States (in the Chair):

Perhaps I could just say from the Chair, I did discuss with the Bailiff this morning the issue of the Standing Order and the point that Deputy Martin raised about the next working day. We did conclude that there was nevertheless the inherent ability of the Assembly to fix its own agenda when it wished and we did also consider the matter that Monday was not a scheduled day and that some Members could, for example, be out of the Island or unavailable and, in addition to the matter of the primary school assemblies that Senator Routier has alluded to. The Assembly is meeting on Tuesday; do you wish to formally propose that the appointments of chairmen are done on that day, Senator?

Senator P.F. Routier:

Yes, I do. I think that is the logical thing to do. May I say that I certainly hope that we will get on to the election of the chairman of Privileges and Procedures, so that I do not have to continue to decide these things?

The Greffier of the States (in the Chair):

Are Members content therefore to amend the agenda for Tuesday to deal with the appointment of chairmen on that day? The appel is called for. Is the proposition of Senator Routier seconded? **[Seconded]** Very well, if you wish to proceed with the chairmen on Tuesday you vote pour, if you wish not to - I am not sure what the alternative is - you vote contre, but the Greffier will open the voting on the electronic voting.

POUR: 48		CONTRE: 2		ABSTAIN: 0
Senator P.F. Routier		Connétable of St. John		
Senator P.F.C. Ozouf		Deputy T.M. Pitman (H)		
Senator A. Breckon				
Senator S.C. Ferguson				
Senator A.J.H. Maclean				
Senator B.I. Le Marquand				
Senator F. du H. Le Gresley				
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator P.M. Bailhache				
Connétable of St. Helier				
Connétable of Trinity				
Connétable of Grouville				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				

Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Deputy R.C. Duhamel (S)				
Deputy R.G. Le Hérisier (S)				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				

The Greffier of the States (in the Chair):

Very well, I think the consequence of your proposition, Senior Member, is that the Assembly will need to decide when to therefore reconvene to appoint members of panels. We clearly cannot appoint chairmen in the morning and members in the afternoon. I do not know if Members need to think about that over the weekend but I would imagine the Assembly will need to come back briefly on Thursday or Friday to do that. I can say it is not a lengthy process. It should not take more than a couple of hours.

Senator P.F. Routier:

I think we do need to allow the chairmen time to consider their appointments, so we do need to have that space. Is there a problem with Wednesday? I am not sure.

The Greffier of the States (in the Chair):

I think it may be a bit brief because some of the appointments are made late in the day on Tuesday. It does not give the chairmen very much time.

Senator P.F. Routier:

Certainly, I propose Thursday but in doing that I apologise that I shall be out of the Island. I propose Thursday.

The Greffier of the States (in the Chair):

Are members therefore content to sit on Thursday next week to make appointments of members to committees and panels? The appears to be general ...

The Connétable of St. John:

I have other appointments on that morning.

Deputy M.R. Higgins:

I shall be out of the Island.

The Greffier of the States (in the Chair):

Will all those Members in favour of sitting on Thursday kindly show? Are there any against? That is nevertheless carried.

[16:45]

Just to confirm; the Assembly has agreed to defer the appointments of the chairmen of Privileges and Procedures, Public Accounts Committee, the 5 Scrutiny Panels and the Overseas Aid Commission until Tuesday, then the Assembly will reconvene on Thursday next week to make the appointments of the President of the Chairmen's Committee from the chairmen appointed and the members of panels and committees. I can now announce the result of the ballot. The Deputy of Trinity obtained 26 votes, Senator Ferguson obtained 18 votes, Senator Farnham obtained 5 votes, there were 2 spoiled papers and therefore the Deputy of Trinity has obtained the majority of the vote. **[Approbation]**

Senator L.J. Farnham:

Can I be the first to congratulate the Deputy on her retention of the office? I wish her well.

Senator S.C. Ferguson:

Can I also congratulate her and I shall no doubt live to plague her in question time still?

The Deputy of Trinity:

I would just like to thank the other 3 candidates. I think it has raised the Health and Social Services up on the political agenda, which is always pleasing. I look forward to serving this Island for the benefit of the community for the next 3 years. **[Approbation]**

Deputy G.P. Southern:

Can I congratulate the Minister too and warn her that she will not escape from my tongue.

The Greffier of the States (in the Chair):

Very well, we must now proceed with the appointment of the Minister for Transport and Technical Services. I will ask Deputy Lewis to withdraw with the Assistant Greffier.

5.1 The Connétable of St. Peter:

I recognise that Members are tiring after approaching now nearly 2 days of selecting Ministers for the next 3 years and I am delighted to inform you that this is the last one. It is certainly not the least one. So, if I may, could I start with a little joke? Some of you may have heard it before. What is yellow and sleeps 5? A public services lorry. That was the old image of public services many years ago; yellow lorries with a 5-man crew cab but much has changed since those times and that is not just the name change to Transport and Technical Services. Behind the scenes successive Presidents, Ministers and Chief Officers with their staff have reformed the work practices and the image of this now highly technical department. I turn to the infrastructure. It is to the credit of all T.T.S. that we now have a much leaner and fitter operation; an operation that touches every

Islander - whether man, woman or child - during the course of their daily lives. From the network of drains, the wastewater treatment plant, the household rubbish collection, the energy from waste plant, the recycling facilities, the highways and byways, footpaths, cycle tracks, Millennium and other parks and gardens, beautiful beaches and cedar fences, the control and use of vehicles on our roads, the testing and competence of new drivers, and the regulation of our public transport service vehicles, just to sample a few. The T.T.S. and its staff provide the infrastructure that is the very foundation of our way of life - business and pleasure - with staff working underground, unseen maintaining our sewers, others working unsociable hours to avoid disturbances to our daytime movements, under the ground and only visible when it goes wrong. Just because you cannot see it, it is no reason to ignore it, because it will go wrong if we do. In a highly complex range of operations, most of which occur out of sight and out of mind, support is the department's mantra, and that is: "We are doing well when we are not noticed." Let me briefly put into context further the scope of Transport and Technical Services' role: 111 outpost pumping stations that serve our wastewater network, all monitored by remote telemetry that gives immediate notification of evolving issues before they become problems; 667 States employees, including Driver and Vehicle Standards; approximately 10 per cent of the whole States workforce; 100,000 tonnes of non-inert solid waste processed of which 31 per cent is recycled; £1.6 million of income from the first year of energy production from the energy from waste plant increased to the £2.4 million every year thereafter; £40.6 million - the net annual revenue budget; around £100 million the most expensive civil engineering project - the building of the energy from waste plant delivered on time and on budget; and literally hundreds of miles of main roads containing thousands of miles of piping and cables servicing telephones, water, gas, electricity and town and surface waters; and £1 billion, the approximate value of the assets managed by T.T.S. What are the challenges facing the future for T.T.S.? It is imperative that T.T.S. has certainty of funding including new ways of finding funds and the new 3-year, medium-term financial plan enables flexibility in dealing with ongoing cost pressures, safeguarding existing assets and developing opportunities. If elected as Minister for T.T.S. my term for the next 3 to 5 years is to provide innovative funding mechanisms that allow T.T.S. to become less reliant on the central funding. Looking now towards staff and culture; T.T.S. has already embarked on a significant programme of change towards a more commercial and business-focused operation and I am delighted to report that the morale of the staff is positive. I will continue to develop this and embrace unions in a pro-active and co-operative relationship. Staff are our most important asset and I am committed to providing the right level of development for all of them, even during these difficult financial times. We will seek out new ways of working to ensure we deliver efficient services to the public, at the same time as delivering new and more innovative ways of working. So the new Minister will need to embrace the good work undertaken by the past Minister and build further on the very strong relationships that exist among the loyal staff in the department. Some of the engineering to be faced starts with really looking at the St. Helier surface water system and the Phillips Street shaft due to go in at a cost of about £5 million from fiscal stimulus funding. That is to remove the flooding risk from the low-lying areas of the town centre. I look forward to the demolition of the old incinerator and finally removing this facility from Bellozanne site and I hope if they blow the chimney down, I am the one that presses the lever. Road repairs and resurfacing programme, foul sewer improvements, and cedar fences; maintenance all requires strong political oversight to ensure that money is spent wisely. I am not in favour of "nice to haves". We have to be prudent in these difficult financial times but at the same time we have to maintain the Island's critical assets. Now that the energy from waste project is complete I will work with the Minister for Environment to ensure that we have the most effective ash treatment programme to protect the Island's long-term environment. In the last couple of days our friends from Guernsey have reopened the issue of exporting their waste to Jersey. Should this develop into a real possibility, if elected Minister I will give the Members an undertaking here today that this matter will return to this Chamber for the final decision. Transport; the current bus service is out to tender. If elected I will oversee and conclude that tender process. The Island needs a contractor that will work in partnership with T.T.S. and can demonstrate that it can meet

the needs of the community while delivering value for money. I want to ensure that the new contract underpins the traffic reduction targets within a sustainable transport policy. Driver and Vehicle Standards present a number of significant challenges. My initial intentions are to update the many archaic road traffic laws, deliver improvements in customer satisfaction, develop opportunities for a front office nearer the town centre and research online opportunities for booking both theory and driving tests. After all, if we can book and pay for flights on the internet, why can we not book the services of T.T.S.? Taxis; in both 2005 and 2008 former Deputy de Faye and Connétable Jackson both spoke in an election for Minister for Transport and Technical Services on the need to resolve the taxi issue and now in 2011, Connétable Refault raises and states: "I intend to make this the third and last time that this item features in a prospective Minister's speech." I will resolve the multi-tier taxi system by the use of modern communication methods, removing quantity control and applying rigorous quality control. Street Works Law; as a Connétable and chair of the Parish Roads Committee, I am well aware of the degradation of some of our Parish and States main road surfaces, due in part to substandard reinstatement by utility company contractors. This must not continue. The long and eagerly-awaited Street Works Law will help stem this additional maintenance burden and place that burden back on to the users, agents and contractors. The roads network and car parks; the sustainable transport policy requires innovative use of our roads, especially those radiating out from St. Helier, to incorporate safe travel routes for cyclists and pedestrians. New methods of car parking charging will be trialled in 2012 with the use of number plate recognition with potential operational savings for the Department. T.T.S. engages many contractors which are on short-term contracts for single tasks and ongoing contracts - such as the cardboard recycling operation at Rue des Prés and a car-pressing and metal operation at Bellozanne Valley. As Members are aware this metal recycling operation is currently out for tender. Tenders have to achieve best value. Lowest price only tenders can come with unforeseen outcomes. For example, if the full context of the loss of a local business, jobs and tax receipts are all taken into consideration, coupled with additional losses incurred by local sub-contractors and suppliers to that business, a lowest-price tender may not be the best course for the public purse. Having said this it would be inappropriate to buy "local at any cost" when the tender price difference and associated subordinate issues dictate otherwise. Why do I want to be the Minister of this highly-complex and technical department? Because I value our way of life in Jersey in all its manifestations, I value the quality of our services and the pride I feel when talking with visitors who compliment our wonderful Island; its cleanliness, its friendliness and its well-maintained condition. I have learned valuable lessons over the past 3 years working alongside the Deputies of St. John and St. Mary on the Environmental Scrutiny Panel that scrutinise the work of T.T.S., Planning and Environment and many other roles within the States. **I also served as a chairman of the Public Accounts Committee** and a non-executive director of the Waterfront Enterprise Board, then on to Assistant Treasury Minister with responsibility for Property Holdings, a member of the States Employment Board, part of the Ministerial Oversight Group for the Green and White Papers for the Health, Fiscal Strategy Working Group and many numerous other committees in the Parish scene. Finally, I have one over-arching policy of delivering the right services at the right time and at the appropriate cost with motivated, well-trained and valued staff. I thank all of the Members for their fortitude and patience and look forward to their questions.

The Greffier of the States (in the Chair):

Very well, we come to questions.

5.1.1 Senator P.F. Routier:

The candidate, who is also a Parish Constable... can he explain how he would balance the demanding roles within his Parish and that of the busy department he is hoping to lead?

The Connétable of St. Peter:

I must say, first of all, I am not a stranger to hard work. I do not work to a clock. I get up very early in the morning and I work 7 days whenever required. It is part of me. I am one of these strange people who does not look forward to retirement. I enjoy work. I enjoy having a challenge. I enjoy having a target to meet; it is the thing that motivates me. My other very strong view is that no matter what route we travel to come into this Chamber, and what our title is as we walk through the door, once we are in here, we are all equal. We are all Members of the States of Jersey, we all receive the same stipend, we are all expected, in my mind, to do the same work and to accept the same challenges. If it were to be that Connétables were not expected to do all the work that every other Member is expected to do, then I for one do not believe they should be in the Chamber. That is a matter for another day. Thank you.

[17:00]

5.1.2 The Connétable of St. Mary:

Over the recent months I have been a thorn in the side of the previous Minister for Transport and Technical Services with my constant complaining about bus stops. Members are asking for bus shelters but I say, if elected, will the candidate take steps to ensure that children especially waiting for the bus are waiting in a safe environment away from the main traffic.

The Connétable of St. Peter:

The Connétable of St. Mary has spoken to me about a couple of areas in St. Peter's Valley. Unfortunately one of them is in St. Lawrence, but there are some very dangerous positions and there is one particularly - opposite the Victoria Hotel in St. Peter's Valley - which I think we as T.T.S. ought to get in contact with the landowner to make a small pull-in so that the children can stand off the road surface. It would be relatively easy to do, a relatively simple job, and my undertaking to the Connétable of St. Mary is that public safety has to be our uppermost priority in dealings with T.T.S.

5.1.3 The Deputy of St. John:

First of all, I should declare an interest, because my own house is not on the public main drains service. Having said that, I would like to ask the Constable this; when it comes to connecting to the public main drains service for those that are not on the public main drains service, it is often very, very expensive to do so. T.T.S. currently make a reasonably substantial charge just for simply making that connection. Would the Constable give me an indication to his view on this and - if it is not a definitive view, which tells us exactly where he stands - could he please be prepared to say whether he would be prepared to review it in the future?

The Connétable of St. Peter:

I think my very strong view is that the current system of people on tight tanks, which need to be emptied by a tanker and charged, and the rest of the people who are on main drains... there is a basic inequity there that we all pay the same taxes and we all should, therefore, receive the same services and that is one area that certainly is on the top of my list on my agenda; to look at how we can resolve that inequity for those 2 particular different types of drainage systems. To answer the Deputy of St. John's question, I am aware - I was just dealing with one in the Parish the other day and the connection charge, I think, was something like £9,000, which caused me to take a sharp intake of breath - now if that is beyond the actual cost recovery then that is something I think we ought to be looking at. But cost recovery would be the maximum that we should be charging and perhaps not go for any profit margin if that is, in fact, what is happening. I certainly undertake to look into that.

5.1.4 Deputy J.H. Young:

The candidate mentioned a very welcome commitment on safe travel routes for cyclists and pedestrians into St. Helier. Could the candidate please indicate whether he would be in support of

traffic calming measures in both the urban areas and in town to eliminate rat runs and introduce speed limits in appropriate areas, particularly as has successfully been done in his own Parish.

The Connétable of St. Peter:

Yes, certainly I am sure that most Members who have stood for election and knocked on many doors in the past few weeks, they have probably got their ears well-bent about the speed of traffic all over the Island. Unfortunately, there is probably around about 20 per cent of the motorists who we will never control. There are those who no matter what the speed limit is and no matter what we do, they will still speed. But when we come to traffic calming measures I think one must be very careful what one wishes for because everyone says: "Can we not put some speed humps in"; well, if you live near a speed hump, after a month you will want it taken out. The noise as heavy vehicles go over them and the shock and the vibration it can transmit into nearby houses is something not to be desired. Then the other problem you have got, equally, if you have a number of speed humps you have the traffic racing between them. But I certainly take Deputy Young's point; we need to do our utmost to control the traffic speeding that goes on every day and I must say that since they had the 'Smiley' on Victoria Avenue fairly recently, I have noticed a little bit of reduction of general speed along there. Perhaps more 'Smilies' is part of the answer, but certainly, I think, more proactive policing and monitoring would be of greater assistance as well.

The Greffier of the States (in the Chair):

I have got 16 Members waiting Constable, so I am sure you will be concise.

5.1.5 The Connétable of St. Helier:

Will the candidate keep the promises made by his predecessor in the sustainable transport policy, including the investigation of the feasibility of expanding Snow Hill Car Park and will he undertake to replace any spaces lost in Green Street Car Park if the police station is moved there?

The Connétable of St. Peter:

I was part of the Scrutiny Panel which was working alongside T.T.S. in developing the sustainable transport policy. I think we sent it back - I am looking at the ex-Deputy of St. John - was it once or twice?

The Connétable of St. John:

I am not answering your question. [Laughter]

The Connétable of St. Peter:

It certainly was a couple of times, I think, so, yes, I am fully committed to the sustainable transport policy. On the question about the loss of parking spaces at Green Street if the police headquarters goes there; I think the problem is wider than that. Certainly, I am very much aware that with the loss of Gas Place - the car park there, the gasworks site - there is a dearth of reasonable parking to the north of the town and I think that is the area; it would really energise me to look into that. There are 2 sides to car parking; the more car parking you provide, the more traffic you are going to generate to it. It is our options under the sustainable transport policy to reduce the amount of traffic. It is a double-edged sword and I think we have to view that in that way.

5.1.6 Deputy S. Power:

The candidate in his speech referred to the challenges being presented by the Driver and Vehicle Standards Department. Would you not agree with me that it is an absolute anachronism that some innovative vehicles that are type-approved in the U.K. such as electric vehicles, Segways and some quad bikes with differentials, are illegal to be used in this Island? Can he give an undertaking that he would do something about this in his first 12 months?

The Connétable of St. Peter:

Absolutely, particularly as when I started my speech I spoke about D.V.S. (Driver and Vehicle Standards) and I spoke about the archaic laws and that is exactly the area that I am looking at; laws which prevent the development of new, innovative vehicles, exactly as Deputy Power mentioned.

5.1.7 Deputy G.C. Baudains:

What plans does the candidate have for minimising the smell and indeed the health hazard of the composting site at La Collette?

The Connétable of St. Peter:

There has been much work done down at La Collette in trying to introduce windrows to dissipate the smells much more quickly than they have done in the past. I must admit the when I left Environment Scrutiny, there had been a significant amount of work done to minimise the amount of smells coming out of there and I would like to hear from Deputy Baudains if that is still continuing because if it is, I undertake to look into that for him.

5.1.8 Deputy J.A. Hilton:

The survival of retail trade in St. Helier depends in part on shoppers being able to access available affordable parking without worrying about having to get back to the car park before their pay cards expire. The candidate made a mention of a trialling of number plate recognition. Can he just expand on that a little bit and tell us whether Sand Street Car Park, which is the main shoppers' car park, will be taking part in that trial?

The Connétable of St. Peter:

In initial consultations with T.T.S. on the number plate recognition system, Sand Street Car Park will be the place that is trialled. That is what they have indicated to me. I cannot make that commitment because I am not in the office yet to make it but certainly it is my intention it will be there. The benefit that will give is twofold. One, if you understay your time with your pay card, you will only pay for the time you were there. On the other side, if you overstay your time, you still pay for only the time you were there but you will not get a fine unless you go over the 3 hours, of course.

5.1.9 The Connétable of St. Lawrence:

The candidate alluded to the need to find innovative funding mechanisms. I interpret that to mean user pays but I would like the candidate to give his own definition.

The Connétable of St. Peter:

Certainly, the option of user pays is something which we all have to consider nowadays, particularly for more specialist types of services but there can be public-private partnerships that help fund other duties that we do and there is also that fearful word of "outsourcing", another way of reducing costs as well. There are always opportunities out there. It is being open-minded enough to see them coming and grasp them when they arrive and implement them as soon as possible.

5.1.10 Deputy J.A. Martin:

The candidate mentioned Guernsey's waste and I have read something recently in the paper. I know he said he would bring it back to the House but could he assure the House in discussions that there will be full cost recovery, there will be capital depreciation and he will negotiate a sinking fund and a new-build of an incinerator in 20 years in Guernsey? **[Laughter]**

The Connétable of St. Peter:

I was with the Deputy up to the last piece there because I do not think I can give an undertaking about getting a build in Guernsey. That would be nice for us as well. I think certainly a number of Members are very aware of my hostile view of the toxic legacy of the bottom and fly ash that we

are storing in indefinite life butyl cells which now turn out to be 25 years' life and that is one of the most significant things which is going to energise me to deliver a long-term solution to ash. Any waste coming in from Guernsey will have to part of that resolution. It is up to Members of this House but I would not personally be happy to accept Guernsey waste and their ash out of that waste as well, not unless we have a better way of dealing with it.

5.1.11 Deputy R.J. Rondel:

Could the candidate indicate whether the new bus contract will include a new Hoppa bus service around St. Helier and if so, will he communicate details with the Deputies and the Connétable of St. Helier before implementation?

The Connétable of St. Peter:

I cannot give Deputy Rondel the exact details he is looking for. I know there has been a working party, I know that ex-Senator Le Main was on it, and I believe some of the St. Helier Deputies as well, looking into the Hoppa service. I fully support the principle of the Hoppa service and certainly the Parish of St. Helier, obviously because it is to be working in their Parish, should be consulted and advised exactly what we are going to be doing.

Deputy M.R. Higgins:

My question has been asked.

5.1.12 Deputy J.A.N. Le Fondré:

Noise from the car crushing and, indeed, movement of metal in Bellozanne has long been a problem for nearby residents, including some in St. Lawrence. Will the candidate undertake to ensure that mitigation measures are put in place as part of any new operations, whether by the existing incumbent or any new successor as a result of the tendering process bid?

The Connétable of St. Peter:

Yes, I was not aware that the problem extended as far as into St. Lawrence although it is just off the border, I am aware of that. It is unfortunate. If the information has gone forward to T.T.S., then I am not aware of that. If it has not, that is unfortunate because that could have been written into tender documents but tenders are out there now seeking tender prices. Maybe it is something for Deputy Le Fondré that we can probably try to put in at the back-end of a second round tender process and if that is possible, I will pick that up.

5.1.13 The Deputy of Grouville:

What priority and enthusiasm will the candidate give to the delivery of the long-awaited eastern cycle network and as set out in the Sustainable Transport Strategy?

The Connétable of St. Peter:

I think my enthusiasm and priority is high for cycling generally, not only on the eastern cycle track but also, of course, the whole Island wherever possible. As I said in my speech, we will be looking for innovative ways of improving cycle tracks out of the town. If one thinks about West Hill on the western side of town where they have an area up the side of the hill which is painted red which bikes can use, perhaps something like that on some of the Island roads would compensate for the loss of dedicated cycle tracks where it is a shared use where the bike has a priority. That certainly is something I am very happy to look further into.

5.1.14 Deputy R.G. Le Hérisier:

Given that equally brave and courageous people have trodden the path of taxi and cab reform, could the candidate outline why he thinks his proposed reforms will be the successful ones?

The Connétable of St. Peter:

There has been so much public criticism of the taxi service and dual taxi service over the years; the lack of taxis and the late nights at the airport. We have to do something and if we keep looking at the problem, we will never get to a conclusion. We have to focus down on what the public issue is; what the public requires and make it happen. We need to increase the quality and possibly even the quantity to keep costs down but there are some inequities in charging between private hire firms who have a depot to run which can be resolved with modern communication methods. You do not need a depot nowadays; you need essentially a mobile phone against those other taxis, the rank taxis, which have a privileged trading position in the centre of the towns.

[17:15]

5.1.15 Deputy A.K.F. Green of St. Helier:

The last Minister agreed, as part of the bus contract, to include some sort of smart card or swipe card system aimed particularly, although it could be used for others, but aimed particularly at people with learning difficulties that have difficulties with handling cash and understanding the value of cash. If the candidate is successful, will he include this in the bus tender?

The Connétable of St. Peter:

Again, the bus tender is already out for contract so maybe not. If it is in there, then that would be an opportunity. I know that the previous Minister was very keen to embrace the oyster card system like they have on London Transport and I think that would be an excellent system and if we did have number plate recognition as well, it could also be used to pay your car parking charge when you are not using a bus. I think it is a way forward. It is a way forward we have got to embrace. It is new technology and why not.

5.1.16 Deputy R.C. Duhamel:

Will the candidate be seeking to apply the principles of the zero-waste movement to his department policies?

The Connétable of St. Peter:

Can I just ask the questioner, did he say zero-waste movement? Right, so departmental policy. The short answer at the moment is I do not know. I am not entirely sure what the Deputy is asking me with zero-waste movement. It is a new thing to me. I am not sure exactly what that means. If the Deputy would like to enlarge on that, I could possibly help him.

Deputy R.C. Duhamel:

It is the principle of minimising waste as far as possible and finding other uses for it.

The Connétable of St. Peter:

Essentially, I think the Deputy is talking about reuse here. Reuse, in my view, should be higher than recycling. The more we use, the less we buy, the less we consume. Ultimately, at the end of its multiple use life, it will need to be recycled. Yes, I would embrace that within the department's policies.

5.1.17 Deputy G.P. Southern:

It must have been a slip of the tongue but would the candidate accept that what he meant to say in answer to the question about a Hoppa was he was aware that this House had passed a prioritisation of the Hoppa and that it was to be green and cheap and that he throws his weight behind it?

The Connétable of St. Peter:

My considerable weight as well.

5.1.18 Deputy T.A. Vallois:

I asked the candidate this morning how much support he would provide to St. Saviour's Constable and St. Saviour's Deputies for the school traffic, which is a fundamental part of Sustainable Transport Policy. Could he enlighten us as to his vision for finding a solution to the school traffic problems in St. Saviour?

The Connétable of St. Peter:

St. Saviour's traffic is an ongoing issue because of the sheer concentration of the cottages and secondary schools in that area. There are 2 ways of dealing with it. One is going to be by improving the bus access to it, perhaps using the Weighbridge as a hub for dedicated buses to go up to the schools rather than different buses coming from different areas, and the other one is by road engineering but that is going to be far more costly and probably take far longer to do. So, in the short term, possibly looking at better ways of getting people to the schools in multiple-seat transport rather than a single car is going to be the quickest way for a quick win solution.

5.1.19 The Connétable of Trinity:

Will the candidate inform the Members of his management skills if he were to become Minister?

The Connétable of St. Peter:

That is a difficult one. Perhaps I ought to ask some of my ex-staff what my skills were. Probably my management style. I think going back to my airport days, I carried the name of Flint. I took it as a compliment because it meant I was firm but fair and that is what I like to be, as firm to fair, and also co-operative and engaging. I prefer to work on a win-win, not a win at any cost.

The Bailiff:

Very well. That completes the questions to the Connétable of St. Peter so I would ask the Connétable please now to withdraw with the Assistant Greffier and we will ask Deputy Lewis to come up. Very well, then, Deputy Lewis has returned to the Chamber and I invite him to address the Assembly.

5.2 Deputy K.C. Lewis:

In 2008, I was offered 3 positions as Assistant Minister. I chose Transport and Technical Services as I believed this was where I could do the most good. Being an Assistant Minister at Transport and Technical Services has been very rewarding but also very challenging. We were charged with delivering the new energy from waste plant at La Collette. This at the time was the biggest capital project ever undertaken by the States. The base alone featured the largest concrete pour in Jersey's history. The solid residue from E.f.W. (Energy from Waste), the construction and successful commissioning of the new energy from waste plant has been a great achievement for the T.T.S. team with the changes facing the development of sustainable solutions for a bottom ash and air pollution control A.P.C. (Air Pollution Control) residue. If elected as Minister for T.T.S., I will make it a priority of mine for fly ash residue treatment and, as a grandfather, I will assure Members that I will not be leaving this for our children and grandchildren. The demolition of the Bellozanne energy from waste plant will be the next on the list. I have been up the chimney of the Bellozanne incinerator. I have also been down the very bottom of the cavern and if you ask anybody that knows me, they will tell you: "Kevin Lewis does not do spectator." Waste from Guernsey and Alderney is going to be a very emotive subject and technically, from an engineering point of view, it is achievable but I assure Members - and I reiterate - nothing will be done without the express permission of this Assembly. The liquid waste, the sewage treatment plant at Bellozanne, is 50 years old and is starting to creak. Once upon a time, it was a state-of-the-art facility with its ultraviolet treatment and engineers came from all over the world to see it. Now it is tired and in need of replacement. We have done small works of late and some large works with the sludge digesters, *et cetera*, and we are grateful to Deputy Fox for the money to cap it to reduce most of the smells. Another large project coming up is going to be Phillips Street shaft. In 2012, we are committed to deliver the final phase of the St. Helier Surface Water Scheme. It is not so long ago

that Beresford Street was under several feet of water. This cannot happen again. We need to sink a shaft in Phillips Street and take all the floodwater west, put it under West's Centre, put part of St. Helier to the cavern. There is much work to do with surface water separation to make sure the cavern does not flood. One of the big things coming up shortly will be the bus tender. We have had many people apply for the tender and they are all very high quality. At the moment, T.T.S. are currently undertaking a rigorous process to analyse which company will best serve the Island over the next 10 years, not only public transport but also school buses. Street Works Law will be coming up shortly. At the moment, any of the service providers, J.E.C. (Jersey Electric Company), Waterworks or Telecom can dig up the roads almost at will. The new Street Works Law will prevent this where they will need permission to dig up various roads and also the remediation will be to the very highest standard. Car Parks we will be rolling out the new A.N.P.R. (Automatic Number Plate Recognition) system very soon, the automatic number plate recognition. This will probably be in Sand Street whereas on driving in, the camera and computer will record the number plate number and on the way out, you will pay the appropriate fee. This can also be upgraded so that you can pay at home on your computer. This will also do away with the many parking fines that people get, which I am sure will be very much appreciated so if anybody meets a friend in town for coffee, they do not necessarily have to run back. With regard to the buses, we did have a capacity problem on the number 15 route from the airport and I suggested bringing back the double-decker buses so we managed to borrow one from the U.K. and that was very, very well received. It was decided that we would purchase 2 but having found that there was a delay of possibly 8 or 9 months, I put forward the suggestion of buying the 2 demonstrators. They were top of the range but as we were trying to encourage more people back on the buses, we thought, why not? It is a great idea; it has leather seats; it has got Wi-Fi. People coming to work on the Esplanade, office workers, everybody could use them and they have been a great success. In 2011, the States agreed that all States-funded departments should purchase their vehicles through Jersey Fleet Management. As a result, capital funding for replacement vehicles was removed from the department capital programme and Jersey Fleet Management was granted an additional £3.5 million for 2012 and 2014. This gives us much buying power and keeps costs down. Okay, I think that is about it. I invite questions from Members.

The Bailiff:

Very well. So we come to questions and first of all, Deputy Hilton.

5.2.1 Deputy J.A. Hilton:

During the recent election campaign, speeding and road traffic issues were widely complained about. How much of a priority is the candidate, if he is successful, prepared to make this issue in discussions with the Constable and the Deputies of St. Helier?

Deputy K.C. Lewis:

More than happy. I want to work very closely with the Constables and, in particular, the Constable of St. Helier because I know most traffic problems are around St. Helier and the urban Parishes. As Assistant Minister, I had a small fund for road safety which was from the sale of the JSY number plates. That went into a special community safety fund and I allocated much of that fund to the smiling S.I.D.s (Speed Indicator Devices), the smiling indicator devices which have gone down very well around the Island but I think, as the Deputy said, during the last elections, speed, speeding traffic, traffic congestion, was the major point in all the Parishes; so, yes, more than happy to work with the Deputy on that one.

5.2.2 Deputy J.H. Young:

Sorry, I was going to ask a question about traffic calming. I caught the reply there. Perhaps I could just ask the candidate to say does the commitment to those measures in town apply generally to

urban areas throughout the Island where we have excessive speed and problems with pedestrians and cyclists being in conflict with traffic?

Deputy K.C. Lewis:

Absolutely. It covers the whole Island. We are 9 miles by 5. I do not know why people are in such a hurry. Pedestrian safety and road traffic safety would be a priority.

[17:30]

5.2.3 Deputy S. Pitman:

What is the candidate's long-term solution in dealing with the toxic ash from the incinerator?

Deputy K.C. Lewis:

As I mentioned in my speech, the fly ash remediation will be a priority of mine as I have no intention of leaving it around for our children and grandchildren. There are quite a few investigations going on, experiments around the world, about what to do with the ash and I am more than happy to follow that up. It will be my number one priority.

5.2.4 Deputy R.C. Duhamel:

Will the candidate be seeking to apply the principles of the zero-waste movement to his departmental policies?

Deputy K.C. Lewis:

Sorry, would the Deputy repeat that?

5.2.5 Deputy R.C. Duhamel:

Will the candidate be seeking to apply the principles of the zero-waste movement to his departmental policies?

Deputy K.C. Lewis:

I think I will take that one under advice. I think waste minimisation is something obviously we need to get into obviously, more recycling. We only have one plant; we have to look after it.

5.2.6 Deputy A.K.F. Green:

The candidate referred to the bus contract but he will know that the previous Minister agreed to include in the bus contract some sort of swipe card or smart card system which could be used for anybody but particularly allow people with learning difficulties who have trouble understanding the value of cash or handling cash to travel on the buses easily. Would he indicate whether that has been included in the contract and if not, would he include it if he was successful?

Deputy K.C. Lewis:

Absolutely. We are moving towards a cashless society. Experiments have taken place with this kind of technology in the U.K. with a swipe card or a general charge card or even an Orma card or such like. I am all in favour of it. There was a system that was being mooted that, as the bus passed, you got on the bus and it would take money from your telephone. They had some teething problems with this so as you drove past the bus stop, it took money off everyone so **[Laughter]** it needed refining but the technology is improving all the time and I am more than happy to follow that up.

5.2.7 Deputy R.G. Le Hérisier:

Does the candidate believe that there is a need for reform of the taxicab system and if so, what reform would he propose, making particular reference to its current location of control within D.V.S.?

Deputy K.C. Lewis:

A very emotive issue. We have had many meetings with the Taxi Drivers Association, the Cab Drivers Association and the private hire groups as well. We need to have a solution that is fit for purpose, that provides a first-class service and the people of Jersey are well-served.

5.2.8 The Deputy of Grouville:

What priority and enthusiasm will the candidate give to the delivery of the long-awaited eastern cycle network and as set out in his department's Sustainable Transport Strategy?

Deputy K.C. Lewis:

I am all in favour of it. I am a born-again cyclist and cycle whenever I can. We are still doing a little bit of work on the western cycle route. It is now possible to cycle from Corbière all the way into town - some of it in a shared area - around the J.E.C. building, along Havres des Pas, all the way up to Fort D'Auvergne at Havres des Pas. We have done the first phase of the eastern cycle track network which runs along from St. Martin up to the Lavender Villa and I am looking forward to implementing the second phase.

5.2.9 The Connétable of St. Helier:

Will the candidate support the creation of a new public car park privately funded as part of the scheme for the Odeon site? **[Laughter]**

Deputy K.C. Lewis:

That is an interesting question. I believe the Odeon is still listed at the moment but there is an area behind near the old fire station, which I believe belongs to the Parish of St. Helier **[Laughter]** and that would be an excellent site for a car park, whether it is private or whether it belongs to the States. It is all parking so it is all good for the people of Jersey.

5.2.10 Senator S.C. Ferguson:

The Comptroller and Auditor General's report on the bus contract raised a number of issues. Can the Deputy assure us that these concerns which covered performance measures have been taken into account in the work being done on the bus contract?

Deputy K.C. Lewis:

Yes, indeed. The report has been read and there is a group that has been advising the Minister and that has all been taken into consideration.

5.2.11 Deputy S. Power:

The candidate will be aware that the Jersey aquaculture industry and the Jersey economy are not able to export some of their product at a premium price because of water quality issues in the marine environment. The recent Environment Report highlighted some of the issues. What would the candidate do about this in his first 12 months of office?

Deputy K.C. Lewis:

Water quality and air quality are 2 of my priorities. The water quality, as I have mentioned in my speech... the water treatment centre at Bellozanne is not 100 per cent. It is 50 years old. It is performing very well. Lots of other places are nowhere near as good as we are but there is always room for improvement. We are installing new sludge digesters and new purification units and, as I mentioned earlier, we are going to build a new sewerage plant in the not too distant future as money allows.

5.2.12 The Deputy of St. John:

Would the Deputy agree that connections to the mains drain systems by people through private connection with people that are not already on it is an environmental gain and therefore in the

public interest and that those very people are already contributing to the cost of the infrastructure of the public mains drains through their central taxation? Would he agree that it is only right that there should be a zero charge from his department, or potentially his department, for those wanting to connect to the public system?

Deputy K.C. Lewis:

It is desirable from an environmental point of view that everyone is on mains drains but in this present climate, that is not possible so tankering will still be something we have to do. However, charging, maybe we can look again at that.

5.2.13 Deputy G.P. Southern:

Does the candidate share his predecessor's enthusiasm for a Hoppa service which will be green and cheap.

Deputy K.C. Lewis:

100 per cent, and I thank Deputy Southern for the £500,000 a year for that.

5.2.14 The Connétable of St. Mary:

The previous Minister shared my enthusiasm for the filter-in-turn as a way of moving traffic, calming traffic and instilling driver courtesy yet was not able, in his 10 years, to introduce any new ones. What does the candidate think of filter-in-turns and will he bring some more?

Deputy K.C. Lewis:

Yes, I am in favour of filter-in-turns and also filter-in-turn roundabouts. One of my pet hates is people who use roundabouts as an over-about, but that is another story. Filter-in-turns: all for it.

5.2.15 The Connétable of Grouville:

Does the candidate have any plans to reintroduce the double-decker buses on route 1 to Grouville?

Deputy K.C. Lewis:

I would love to but there are few problems with the roads around Le Hocq, St. Clement that would need to be remediated. There is the narrowness of the road there and, as the Constable is aware, the double-deckers are slightly wider than our normal rolling stock. But I would love to see double-deckers all over the Island. I think it is great for the people of Jersey. I think it is great for tourists.

5.2.16 Senator P.F. Routier:

The candidate said, in answer to a question from Deputy Le Hérissier regarding the taxi service, he was aiming to have a first-class service for the public. He also said that there had been several meetings in the past with current operators. Can he give any assurance to Members that he will pursue this with greater vigour?

Deputy K.C. Lewis:

Absolutely. I would like a first-class taxi service, cab service and private hire service or any combination of the 3 for the people of Jersey, but we have to proceed very carefully because it is people's livelihoods out there that have invested a lot of money in their vehicles. So I would like a fair and equitable system.

5.2.17 Deputy G.C. Baudains:

Would the candidate agree with me that much of the speeding that is complained about is in fact a perception and would he agree to introduce the system, which I believe is quite prevalent in France, of traffic lights whereby if you drive over a certain speed limit the light will turn red in front of you?

Deputy K.C. Lewis:

Absolutely, that sounds an excellent idea. I would like to look into that. That is another extension of the 'Smiling Sid' speed indicator devices, but I am all in favour of new technology.

5.2.18 Deputy T.M. Pitman:

Having apparently done nothing wrong as Assistant Minister and given this new era of inclusion, did the candidate have any discussions with the Chief Minister Designate as to why he was not suitable to be nominated as Minister?

Deputy K.C. Lewis:

That is a matter for the Chief Minister designate. I was disappointed not to get the phone call but that was his decision.

5.2.19 The Connétable of St. John:

In the dying days of your predecessor a number of Ministerial Orders were signed and one of them was on speed limits for 3 Parishes. Will the candidate have these rescinded if elected and bring them to the House for debate?

Deputy K.C. Lewis:

More than happy to review any decision previously made and bring it to the House.

5.2.20 Senator S.C. Ferguson:

The last but one Minister for Planning and Environment had an experiment running on a new type of septic tank that required very little emptying. It is a new eco-active thing apparently. Did he communicate this with T.T.S., and will the candidate take this up with the new Minister for Planning and Environment if elected?

Deputy K.C. Lewis:

More than happy to take this up. The department is well aware of all new developments, but more than happy to look into it.

5.2.21 Deputy R.G. Le Hérisier:

Would the candidate tell the House what lessons were learned from the T.T.S. angle in regard to the Victoria Avenue improvements? **[Laughter]**

Deputy K.C. Lewis:

I have to agree that some of Victoria Avenue is a little unusual. There are few twists there and I prefer curves, but a lot of it was done because there were found odd drains below that had to be remediated. Basically it was to facilitate the turn right lane, I think it was at Rue de Galet, and facilitate as much car-parking as they could, but there was additional drainage put in. I agree that it does look a little odd, though.

5.2.22 The Connétable of St. Mary:

How apt because, following on from that last question, my questioning of the previous Minister showed that it is impossible to accommodate even the smallest family car in the refuge at the exit to the Bel Royal layby. Will the candidate, if elected, agree to look into this? If he needs any advice as to an alternative, perhaps I could introduce him to my husband because every time he passes there he advises me. **[Laughter]**

Deputy K.C. Lewis:

Is the Constable referring to the exit from the car park at the end of the dual carriageway?

The Connétable of St. Mary:

Indeed.

Deputy K.C. Lewis:

Yes. More than happy to look at that again.

5.2.23 Deputy S. Power:

The candidate will be aware of some of the challenges that Driver and Vehicle Standards presents. Does he not agree with me that it is anachronistic that vehicles, particularly innovative vehicles such as Segways, some electric vehicles and even quad bikes with differentials, have type approval in the U.K. but are not acceptable here? What would he propose to do in the first 12 months of office?

Deputy K.C. Lewis:

I would agree that, with type approvals, D.V.S. operates rigidly within the law. We need to tweak and change the law slightly to accommodate different vehicles, but as more innovations come on the market we have to be more adaptable. Also, I think I should add that we would like to bring the D.V.S. office into town to make it easier for people to facilitate that.

[17:45]

5.2.24 Deputy G.C. Baudains:

What plans does the candidate have, if he is elected, to deal with the nuisance of the smell from the compost inside of La Collette; indeed the health hazard of the site?

Deputy K.C. Lewis:

The smells from La Collette are nowhere near as bad as they used to be. Also I do not agree that it is a health hazard, but we are doing some more remedial work down there which should diminish the smells even more.

5.2.25 The Connétable of Trinity:

Will the candidate inform the Members of his management skills if he were to become Minister?

Deputy K.C. Lewis:

Management skills: I have been running my own business for the best part of 42 years and I think it worked out quite well, but I think that is for Members to decide.

5.2.26 Deputy S. Power:

Does the candidate feel, as a result of the recent report by the Environment Panel on the quality of marine water, that the sewage outfall pipe at First Tower should be extended by at least a mile?

Deputy K.C. Lewis:

That could be part of the new sewage treatment plant that may be going in in the not too distant future, but it is not just the outfall at Bellozanne. There are several runoffs from land around the Island that also need attention.

5.2.27 Deputy T.M. Pitman:

Given his 2 predecessors, in 3 years' time what does the candidate, if successful, intend to do following his political career?

Deputy K.C. Lewis:

It has often been described as the poison chalice and, as I pointed out at the beginning of my speech, I chose T.T.S. because it is the thing I am most interested in. We say: "End of the political career" but when it was Public Services I believe Senator Ozouf survived it.

5.2.28 Deputy R.G. Le Hérisier:

What does the candidate intend to do, given that his department will undoubtedly receive more pressure regarding terms and conditions of its staff? It is a unionised department. How does he intend to deal with the opposition - legitimate opposition perhaps - of the trade unions to these measures?

Deputy K.C. Lewis:

The T.T.S. Department has made many, many cuts of recent years and many staff have gone through voluntary redundancy, but I do not believe any more plans to cut jobs or anything of that nature are in the pipeline. In fact, on the contrary, we have just taken on 6 apprentices and I would like to see at least 6 apprentices taken on every year. **[Approbation]**

5.2.29 The Connétable of St. Mary:

Will the candidate, if successful, review the use of the non-slip surfaces with regard to the possible dangers they produce when flaking off to motorcyclists? I have had many reports and I referred to this the previous Minister.

Deputy K.C. Lewis:

More than happy to get the department to look into that.

The Bailiff:

We will ask for the Constable of St. Peter to come back into the Chamber. I will ask now that ballot papers be distributed. Yes. Now would the ballot papers please be collected? Have all Members returned their ballot papers? Then I ask the Deputy Viscount and the Attorney General to count the votes, please. Very well, I am able now to announce the result of the ballot for Minister for Transport and Technical Services. The results are as follows: the Connétable of St. Peter, 23 votes; Deputy Lewis, 25 votes. I therefore declare that Deputy Lewis is appointed. **[Approbation]**

The Connétable of St. Peter:

May I be the first to congratulate Deputy Lewis and wish him every success in the role of Minister and for the future.

Deputy K.C. Lewis:

May I thank the Constable of St. Peter for a very sporting contest and thank everyone who has voted for me. **[Approbation]**

The Bailiff:

Now that the final Ministry position has been filled I am able to say, under Standing Orders, we now have 9 Ministers and we also have a Chief Minister. **[Approbation]**

Senator I.J. Gorst:

Could I, firstly, thank Members once again for their votes on Monday and for honouring me with the office of Chief Minister. Thank you. I believe that the votes and the decisions that we have had to make over the last 2 days and the margin in some cases have simply mirrored the difficulty that I had in bringing forward and choosing between many strong candidates in making my nominations. It would only be right for me at this point to thank the outgoing Chief Minister who has remained in office, as now Mr. Le Sueur, until some minutes ago; even yesterday working and signing, I believe, a sanctions Order. That is the culmination for Mr. Le Sueur of 24 years of service to our community. **[Approbation]**

[18:00]

I thank him. He has been what I think can be described and has been described as a steady hand on the tiller and he has steered us carefully what have been a difficult 3 years. This evening the hope of our community for a better future is upon our shoulders. I do not underestimate the challenges. I know that we can meet the challenges that we face, together. **[Approbation]**

The Bailiff:

I am not sure whether this has been noted already but I can tell Members that a report, R.138: Government Actuary's Report on the financial condition of the Health Insurance Fund as at 31st December 2007, has been presented; also a report, R.139: Eco-Activity Energy Efficiency Services, presented by Jersey Electricity. Thank you very much. The Assembly will now close and we will reconvene at 9.30 a.m. on Tuesday to proceed with the election of chairmen for the various committees.

ADJOURNMENT

[18:01]