

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 23rd SEPTEMBER 2009

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

PUBLIC BUSINESS – resumption

1. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (a) - as amended

The Bailiff:

So then we return to the Business Plan and recommend any Member to speak on paragraph (a) as amended if they wish before moving on to paragraph (b).

Senator A. Breckon:

Chair, I wonder if I could just seek some clarification through the Chair first on a matter. When the Chief Minister tendered this, he said he was rapporteur for virtually all of the Ministers. If somebody were to speak and raise an issue and a Minister had already spoken, it would then be up to the Chief Minister to respond, would it, Sir?

The Bailiff:

It would. Very well if no one wishes to speak, do you wish to reply Chief Minister?

1.1 Deputy D.J.A. Wimberley of St. Mary:

Yes, Sir.

The Bailiff:

You do wish to speak?

The Deputy of St. Mary:

Yes, Sir. I am not sure what the form is in these debates because I think it is a new procedure that we are entering in to with a change around of (a)s and (b)s, so I am not quite sure how this is handled. Nevertheless, there are some important points that I would like to make on some of the departmental areas that are not covered by amendments, and general points also about the whole direction of the Annual Business Plan. [Aside] Well, it is amendment (a); the Chief Minister is proposing the entire first 33 pages of the document, is he not? That is what we are voting on.

The Bailiff:

It is a matter for Members, there is much to be got through, Deputy, but obviously any Member who wishes to speak on the objectives may do so.

The Deputy of St. Mary:

Yes, thank you, Sir. I am not sure that there should be no consideration of the objectives or no scrutiny apart from amendments. If Members will bear with me, I just do want to make some points and maybe that will arouse some discussion and certainly a reply from the relevant Ministers. If Members would like to turn to page 12, the first point I want to make is about Jersey's international responsibilities: "Objective 3. Fulfil beneficial relations with other countries including constitutional, political, economic, cultural and environmental links, which raise Jersey's positive international identity and promote Jersey's external influence." I would just like to highlight success criteria (i) and (iv). The first one is: "Initiatives in collaboration with other States Departments", which I have no quarrel with: "and N.G.O.s (Non Government Organisations) to promote awareness and conformance with international obligations." I have made a little note in my margin: "Needs a cultural sea change." We really are a long, long way from this House and the Council of Ministers taking on board N.G.O.s and using their expertise and their enthusiasm to help us comply with our international obligations. I am thinking of, if you like, my specialist subject, which is of course, the Ramsar Site and the incinerator but it may also apply to other areas. I would welcome the comments of the Chief Minister and certainly his department, as to how it can be that in that particular case and, as I say, maybe there are others, we have completely failed to address our international obligations, together with the impact that that will have on international

perceptions of how we behave. So that is the point of that. I just really want to highlight that success criterion. Yes, for goodness sake let us make progress in that area, but that does imply a very different attitude to our expertise and our, perhaps critical voices out there in the community who want to engage with the issues. Save Our Shoreline for example, know one dickens of a lot about the marine environment and so on. Up to this point, I know I think the situation has changed now, but up to, certainly in the process leading up to the approval of the incinerator they were simply sidelined and not consulted, not brought in, not approached. I do hope we can hear really firm words on this criterion here. The fourth one, number (iv), in this same objective: "Ratification of relevant international conventions and bi-lateral agreements extended when appropriate." It is all very well to ratify international conventions but you have to put in place the staffing or the mechanisms, or whatever it is, that is needed to deliver the goods. We learnt in a public hearing with the Minister on Environment Scrutiny recently that sufficient capacity had been put in place to really tackle the Ramsar site and bring it into the orbit of the convention only last year. The bid had gone in in 2004 and the States had not voted the money and P. and E. (Planning and Environment) have finally managed to somehow wiggle around to get this officer in place to fulfil our obligations in that area. So again, a challenge here, are we going to follow up our international obligations with real commitment? That is on the international obligations side. On the same page, Objective 4, I notice: "Growing international recognition for Jersey's reputation and standing among various international audiences as a well regulated, co-operative international finance centre meriting increasing market access", and so on. "Well regulated, co-operative international finance centre." I know we are always told that we are a well regulated co-operative international finance centre but I gather that that was not the impression given by the Panorama programme on Monday night, which I have not seen I confess, but nevertheless I have read one or 2 comments about it, firstly from the Minister for Treasury and Resources as reported in the *J.E.P. (Jersey Evening Post)* and, secondly, from a more critical standpoint. Certainly there is an issue there that, if the I.M.F. (International Monetary Fund) come along and say: "Fine, 44 out of 49 criteria are fine, that is okay." Then the very same week or a week later we see an employee of a certain bank advising someone that there is a little way via Hong Kong that you can escape the taxman in the U.K. (United Kingdom). There is an issue here; there is a real issue about risk. This is our biggest industry and it is at risk and I just want to have clarification on just how much risk analysis is being carried out within, probably the Chief Minister's Department, as all these high flying finance industry people now seem to be there rather than within E.D. (Economic Development), which is perhaps slightly strange and maybe he would like to comment on that as well. This is an economic question about the Island's economic status and future. I suppose the bigger question with the finance industry is what size will it ultimately be? What size is it likely to be in the face of gathering criticism of various aspects, some aspects of it? So again, a comment on that at this point really would be very helpful. As a side point on to this finance sector question, we have the question of course of diversity and the Economic Scrutiny Panel is constantly badgering the Minister about diversity and how, to a great extent, we have all our eggs in one basket. I will not comment on the difficulty of walking on eggs, but there is a problem with this very lopsided economy that we have. It is an enclave economy. There is one huge major industry with massive impact on inflation and on demand and on wages, which also of course has an impact on States spending by the way. The willingness to ... I know the Minister has made comments about diversity, but when it actually comes to it and you look at the budget and you look at what is proposed in the A.B.P. (Annual Business Plan), and we have not brought amendments on it, but nevertheless there are real issues with cuts to tourism, cuts in the rural economy sector and how you can square that with the mantra of diversity. Coming on now to E.D.D. (Economic Development Department) itself, page 14, I would like to make a few comments on E.D.D. and I have sort of got a Scrutiny Panel hat here I think as well, because we have raised these issues in our comments or some of them. The big question is sustainable economic growth, and this is mentioned time and time again on page 14. I think there are 3 mentions of the word sustainable, economic sustainability, sustainable economic growth, but it would be nice to have from the Minister, a stab

at defining what he means by sustainable economic growth. It is clearly a key concept in the thinking of the department because they use it all the time. What does it mean, and have you really thought about the implications of sustainable economic growth? A further point on that same page is profitability. There is constant talk about profitability in all sectors of the economy on, if you want to look at Objective 1(v): “Higher efficiency and profitability in all sectors of the economy. (vii) Increased diversification of the economical tax base through higher value added activity.” One could read that to mean that the greater the income per head, the more desirable that activity is, and one again goes back to the implication of that, which is the finance with I think, £160,000 per head profit, I think that is the figure; it is something extraordinary value added, means that the steer will be towards high profitability sectors. That is not what makes life tick. When I go to the farm shop, I am not looking for higher profitability, I am looking for a nice fresh piece of calabrese and that is a different thing. I think we are in danger of not seeing the thing sufficiently in the round, so a comment on that please. The other thing in here, which comes up, is future proofing. One example of future proofing, I am very concerned about this because although we have thrown out the need to measure the adequacy of the information on peak oil and climate change, those issues will not go away. If we look at Objective 3, Success criterion (i): “E.D.D. to play its full role in the success of the Skills Executive, in particular the delivery of the demand capture function.” I am quite impressed by what the E.D.D. have told us in meetings about this function of the Skills Executive, how they go out and find out what employers need in terms of skills and skills sets among future employees of prospective people in the job market. That is fine as far as it goes but what concerns me is how much is that demand capture geared to what employers want now? They are not necessarily the best spotters of the trend of what they might need in 4 or 5 years’ time and Government has far greater resources to think about those issues. One little example is that if we are serious about energy efficiency, as I learnt at the Sustainable Development Conference, if we are serious about energy efficiency one of the things that is quite difficult in energy management systems within buildings is to fit all the strands together. If you are running different alternative energies like solar and ground pumps and air pumps, you have to somehow integrate all that so it works together, and at that level you need very specific skills. I just wonder whether the department has even begun to think in those sorts of terms. So much for E.D.D. If the Members would like to turn to page 21: “Health and Economic Growth.” This is just a general point, we have here indicators in the Health Department, which I totally agree with, and we should all agree with. “Further reduced adult and child smoking rates. Controlled overweight and obesity rates for adults and children. Reduced overweight and obesity rates for 5 year-olds from 30 per cent to below 10 per cent in the next 8 years. To halt the rise of overweight and obese adults, currently 44 per cent. Reduced alcohol consumption.” Again, incredible figures per capita. They want to reduce alcohol consumption from 15 litres on average, and I do not drink anything so other people are drinking more, to 9 litres in 8 years’ time: “Continued reduction in numbers of young people who drink heavily.” All those goals are absolutely to be applauded and Deputy Le Claire mentioned yesterday about how if you spend money now to prevent these lifestyle diseases you will save money later. There is no question of that and Health are absolutely right and they need our support, but there is an implication here for the mantra of economic growth. If you have less cigarettes being smoked, less alcohol being drunk and less food being eaten, then you are reducing economic growth. That is the whole point, is it not? Economic growth is not the be-all and end-all and yet we are constantly told that that is the main target. It is not. Welfare and well being is the main target, that is what those health indicators are about and I would welcome some comment on that from the Council of Ministers. Two further points, page 36: “Procurement.” This is a little bee in my bonnet and it has been mentioned by, I think, one other Deputy in this House in the context of investment strategies. If Members would look at Objective 6, on page 36, an objective of Treasury and Resources, we have: “Promulgate best practice with regard to supplier management and work with Economic Development to develop capacity of local suppliers.” I am absolutely fine with that and there are other criteria about procurement. For instance number (ii): “A procurement plan to deliver cash and efficiency savings across the States, focusing on large

corporate initiatives.” Fine, I do not have a problem with that as long as best practice includes environmental and social and human rights criteria. I do not want the States to be party to exploitation of any sort. I think this is an issue, which is taken up by other procurement agencies. I think the Government of Norway is ahead on this but there are other governments and certainly local authorities who take this issue very seriously. They say they screen suppliers on these criteria. We should not be in the game of supporting oppressive regimes or exploiting the destruction of our natural resources on any kind of scale. So again, I would welcome comments and to make sure that that best practice that we see there includes those criteria. My final detailed point is page 43 on the States Assembly itself, and we see under Objective 4 on page 43: “Public kept well informed about the work of the Assembly.” Nobody could quarrel with that, it is a very important objective. We would like to see more people up there, would we not? We would like to see perhaps, T.V. (Television) access to this Chamber by the accredited media so that nothing would be edited in or out and so that what we say or what we do not say can be on public display. That is another issue for another day but under (i) we have: “Public information services provided by the States Greffe enhanced”, and I think under that comes the improved signing and the little leaflets to inform the public about our processes. This is all excellent and I just wanted to highlight that, because I think it is so important that we do that and I want confirmation from the Council of Ministers, they do indeed take this particular objective seriously. The second bullet under this is: “Active co-operation with the citizenship programme.” The third is: “States Assembly website upgraded.” Well, for goodness sake can we have an official comment on that on the record, because we are still as Members struggling with this hopeless, hopeless website. It just is so frustrating and you end up going to departments to find out things that should be on the site anyway. So those are my specific comments and I do hope that we are going to get responses on those issues. Finally, a more general point; if Members want to turn to page 7 we read some pretty startling stuff. We see here at page 7 in the second paragraph: “I am determined to ensure ...” This is our Minister for Treasury and Resources writing in his foreword: “I am determined to ensure the States maintains a cautious approach to government spending”. Amen. “We cannot allow any increases in current spending limits because as we look ahead at the scale of possible deficits, it is clear that [and I have underlined this] spending more now would run the risk of significant tax increases or more difficult cuts in services. I have accepted the independent advice of our economic advisers and will be proactive by preparing a contingency plan in the next 12 months to tackle any potential deficit. If spending cannot be contained or reduced there will be no alternative but to consider increased taxes and charges in the medium term in order to return the balanced budgets.” Well I have made a little note underneath that: “We should have put this money aside long ago.” We are playing catch-up and the problem is that we are being told now, and anyone ... I can see it coming in the debates that are coming on Senator Shenton’s Adult Respite Care and various other amendments that are coming along, we are going to be told this, that it has got to be tight, we have got to hold on because it is all very, very difficult. I just wanted to make the general point that it is difficult because we have made it; or rather previous Assemblies have made it difficult. There is a huge backlog now; we are going to have to face this. It is not going to go away, it is not manageable by a little cut here and a little cut there. It just is not going to be achieved like that. The sums we are talking about are huge and the scale of the cuts are just unimaginable to meet this £500 million or so commitment. Clearly we are going to have to really, really raise charges or taxes in the middle of an economic downturn and this is most unfortunate, but the alternative is that our sewerage system collapses. The alternative is that our roads end up even more full of potholes than they are now, that our property simply crumbles and that we now know that our housing also is £133 million behind in its maintenance. The total is way over £500 million and I have not even mentioned New Directions and the ageing population. So there is a crisis, and not much about the crisis in the Annual Business Plan. Perhaps that is not the place to put it but nevertheless we need some sort of commentary that makes some sort of sense on this crisis that we are facing. We will need a completely new economic and community model. I do not think the States can do it and that is why some of the success criteria on page 11 are really

important. If the Members want to go to page 11, you see these things are not highlighted, there is no hierarchy but these things, under Objective 1 of the Chief Minister, we have under (vii): “Continued public consultation and participation in decision making.” We have under (viii): “Co-ordinated arrangements between departments and the Parishes resulting in the development of community and social initiatives” and under (x): “Co-ordinated arrangements between departments and the third sector in providing improved services.” This is the area where we might manage to get through if we can mobilise, if we can generate, a real partnership between us sitting here and our civil service and officers and the people. We will have to develop that compact, we will have to develop ways of working together, which is why I mentioned the international obligations, which is why I mentioned bringing on board people like Save Our Shoreline. They are the ones who know, to some extent they are the experts, they are the ones who have a heart for it. Of course they should be challenged, of course what they say is not right necessarily any more than what our officers say is right, but there has to be an open and honest dialogue on all these issues. We do need a revolution in the way we approach the relationship between us and the people. How we build civil capacity is going to be the key to solving this issue of this massive shortfall. We cannot not do it. We have to do these things so there have to be intelligent savings made somehow, and that is going to mean that the community in a sense looks after itself, but how do we get to that point from a fragmented society that we might have now? We have to move in that direction. Jersey is quite rich in organisations and in capacity but it needs to be much, much richer. I think that is all I would like to say. I was going to say a few words on how cuts are dressed up as savings and in a couple of departments, we have seen on Environmental Scrutiny, both departments we have seen what are termed savings are cuts. We have seen in the answer to Deputy Le Hérisssier, written questions to the Minister for Social Services on 8th September, and we see the strange process of cuts being made one minute and the money being put back the next. It does not make any sense, we cannot go on like that; it is not very clever. We do need a broader picture and I just hope to hear that the response of the Ministers today to what I have said will be the beginning of a real debate about, and a real thinking of the way forward because at the moment what we are doing now is approving expenditure, and arguing about this, and that is fair enough but there is a deeper discussion to be had in where we go and how we are going to get to where we want to be. Thank you.

1.2 Senator A. Breckon:

Just a couple of points, again it is about the key objectives of different departments and different Ministerial responsibilities and there are some, for example, I have some concern about and that is how we monitor progress in a Ministerial system. To give Members an example of that I want to use ... we had a document, I believe, in draft form, probably about 3 years, called *A Sustainable Transport Strategy*. The former Minister took it back for re-consideration, re-drafting, whether it has been to the Council of Ministers and when. I know there was a presentation planned for July or August sometime, which is now to take place in the next week or so. With issues like this, for me it begs the question, where are we putting the joined up government together? There is another issue where I have looked through this and when I see it now I just shake my head. New Directions for Health has become very, very old directions. I mean, I just do not know where this has gone at all, I think the whole thing now has been discredited by the process. I think it was too much, too ambitious, outside of the remit and not really going anywhere at all, so it did not have any direction, I would suggest. With a Scrutiny hat on, we did have the Ministers at a Hearing on the Friday before the Bank Holiday and that as such ... it was not convenient really for anybody but the question is, this document came out round about the 17th, 18th, 19th July or whenever it was and we are where we are today, as it were. The question is how do you look at it in any detail? I would suggest, and I know this has come round again, but perhaps we still need to refine the process a bit so that we do not go in to August and September; sometimes people are not available. Having said that, it was illuminating getting the 3 Ministers together. I should say the Hearing was not covered by the accredited media although some of the alternative media were there, a part of it. It was

interesting because part of the questions referred to elderly care, and I must declare interest because I chair a group ... well I was involved with a group with Deputy Le Hérissier at the end of last year that made certain recommendations and asked Ministers for Health and Social Security in particular, but also for Housing and Planning, to look at some of the issues facing us in the future with the care of the elderly at home and elsewhere. One of those recommendations was that they would get together as a working group - I know there is a change in the Minister for Health so it is not necessarily on the present Minister's watch - and come forward with some ideas and recommendations by the end of June 2009. I must confess I am not sure if they have even met. The reason I say that, this is a very real issue. The care of the elderly at home and, as I say, elsewhere, the quality of it, the capacity, the funding, are real issues. The longer we leave it the worse it will get and I do not see in this Business Plan the joined up thinking that will deal with any of that. I have looked and looked; it is just not there. It has not happened.

Senator J.L. Perchard:

I wonder if the Senator would allow me to just correct an inaccuracy he has just made? As a result of a very good long-term care report from the Housing Scrutiny Panel, this very report in fact, this paper was produced, and it was cross-departmental and it is the carer strategy and the Senator has really just misled the House. A lot of work went into this carer strategy and, as I say, it was cross-departmental and I think perhaps the Senator may retract those harsh words he just made.

Senator A. Breckon:

Not at all, that document is not related to the recommendations of that report that the Senator has got in his hand. It is not. There is a Carers Association and that report was worked with them, highlighting problems, which were also duplicated in some of the content of the report. So there is, I would respectfully say to the Senator, through the Chair, there is nothing to apologise for because that report is independent to the recommendations. It does not show in there where the Ministers for Social Security, Housing, and to some extent Planning, along with Health and Social Services met and formulated policy on some of the issues that were raised in that report, which are not there. This is separate to the recommendations we made. Deputy Le Hérissier went and visited some of the places and some of the people and this thing emerged sort of in tandem. Having said that, there are some very real issues here and it is disappointing because it would be reasonable, I would say reasonable, to expect them to emerge in a business planning process. I have just seen the Minister for Social Security sort of bobbing a bit there, but I would say that there is a lot of responsibility there and one of the things that emerged from the hearing we had with Social Security; when it comes to one of the policy issues they seem to be light on staff to drive some of the issues. Pressure of work or whatever it may be, and perhaps he could use the Scrutiny system and go outside the department and get somebody to advise them on what they may do and perhaps move this forward because I would say, with the care of the elderly, dementia is a very real issue, a real problem that is out there in the community, which we are living with at the moment but I personally do not feel we are dealing with as adequately as we could. We need to be not arguing about this, we need to be working together and I do not think, from what I see in this Business Plan, I cannot see the evidence of that. I have got the report that Senator Perchard referred to on my desk, and it has been with the panel because we are aware of that, and we are aware of the excellent work that many people do on a voluntary basis, caring for friends, relations and neighbours on a casual, and in many cases, unpaid basis. With the organisations, with the resources we have got, I think it is disappointing that there is nothing that jumps out for me from this plan that says we are going to get on and do this. There are some fine phrases there but what I would like to see is the Ministers with that responsibility get on and do something. Public consultation was part of this, but it seems to be an eternity emerging, but it needs to happen because it is a costly business. It is an expensive business but it is also, most importantly, a caring business. I think we need to show that and we need to emerge from things like Business Plans with substance that benefits the public. It is not just bundles of papers and documents and us needing to chat about it. It is things that benefit the

public. I hope that the Ministers will respond in some way to this because it is too important just to say: "We have got other things to do." This is important, especially those people whose home might be threatened. They feel vulnerable in different circumstances. We must have some clarity with some of these issues and I think the Ministers should emerge and perhaps give some comfort to the public that things are being done, and if they are being done then they should say so. Thank you.

1.3 Deputy D.J. De Sousa of St. Helier:

I just want to speak very briefly, if Members would like to look on page 37, on the section of Jersey Property Holdings, Objective 1 paragraph (iii): "The release of surplus and high alternative use value properties to provide funds to support capital investment, with a strong focus on progressing sites which may be developed for social renting and private social housing." I just want to speak very briefly on this. When implementing this success criteria I hope that the department will identify the properties for disposal taking into account that some of the States properties have been bequeathed to the Island with restrictions on them, that all preconditions on the properties will be upheld, that the maximum value will be achieved and that safeguards will be in place to safeguard against large developers, that they are not able to gain exorbitant profits at the expense of taxpayers. It is very easy to say that we have a costly large portfolio of properties that is expensive to maintain but we must not sell off the property that may be, in the future, required by other States departments as well, as has already been implemented by Education, possibly Home Affairs and Health may require some other properties. So please be very careful when you are looking at this. Thank you.

1.4 Deputy P.V.F. Le Claire of St. Helier:

I would like to thank the Deputy of St. Mary because we very nearly drifted into the second part of this debate without having the opportunity to discuss in general terms, the aims and objectives of the States Assembly. Judging by the vacant chairs in the Assembly today we can see just how important these deliveries that we are making now have a bearing on this States Business Plan. The actual engagement of States Members and the public has reached the point of futility, in my view, in some circumstances. Perhaps that is why whenever we rise to speak, as Back-Benchers, derided and moaned at and groaned at and snide remarked at and tutted at and glazed over looked at and iniquitously challenged every time we stand up. We then become more and more and more disengaged with the process, and then we are lambasted by the Ministers for not having attended their meetings to tell us how wonderful everything will be and how difficult everything is. The reality is that some departments, and I could name them, in fact maybe why do I not? You go along to see people like the Employment and Social Security Departments and you do not get responses to inputs when you see the Minister. I know they are busy but you expect - this is a more recent one - you expect the answers. You respect the individuals, you respect that they have got lots of work on and I am not trying to criticise, but I am trying to put this point across to Ministers. When Back-Benchers do engage with Ministers, then really they should be taken more seriously if the Ministers, if - only if - and I say a big if, only if the Ministers really want to engage those Back-Bench Members in this process, because this is not, in my view, the States Business Plan, it is the Council of Minister's Business Plan, run and led by the civil service. It is not what the Island necessarily would like. I went to the Transport and Technical Services Department over complaints of the compost site. I drew up a 170-page report with residents and the Environment Scrutiny Panel and Deputy Duhamel. It took us about 2 or 3 months, I think. We produced a 170-page report; it cost us I think about £18. With the help of the Greffier we managed to circulate the copies to all States Members. I think the total cost would have been probably less than £200. The response from the department, I was told by the Minister before he left, Deputy De Faye, cost £200,000 and we did not get anywhere. We got back to where we were in the beginning, which was the department's original recommendations, which were outvoted with the Chief Minister's casting vote. That is, the Council of Ministers all have a vote on the Council of Ministers but the

Chief Minister has an additional casting vote on his original casting vote, not this Chief Minister, the predecessor, to put the compost site down at La Colette which was wrong, as is the incinerator. The reason why I mention that critically, when you go to people, for instance dangerous dogs, I have been on about that for a year and a half. I got an apology from Deputy Le Fondré because he had not responded to my email, and reminded me where it was. Also St. James Centre, the scaffolding that has been outside St. James Centre, I have been trying to tackle that for 3 years. Costing £18,000 a year or something for scaffolding, it is left there because the building is a danger to the public and the scaffolding is there to protect the public. We would not stand for that with any other individual or company on this Island, and the Minister for Planning and Environment and the department cannot get their heads around the needs and desires and wants of the community. The top step of that building was causing a lot of people to trip at the polling station. It is a polling station where people are encouraged to come along and vote. One lady came along, a friend of mine, to vote. I do not know if she voted for me but what happened on her way in, she tripped on that step and fractured her hip, continued on into the polling station, cast her vote and then was taken to the hospital. The elections have passed now some time, and I have been on about that step and on about that step and on about that step. The Constable of St. Helier tripped on it, I tripped on it, a number of other people tripped on it that day, and all that is required is the top tile taken away and cemented over, but yet that small interaction from a Back-Bench Member to try to get something done is not acted upon. The same for the entrance to Garden Lane, a very highly used thoroughfare for the children and mothers and fathers and other workers going backwards and forwards in and out of town, Val Plaisant a main thoroughfare. I have tried and tried and tried and tried to engage with the Minister and the department. The Minister has been new, he has been busy, he has not had an opportunity, but when I think about it, you know, what would it take? A speed hump at the traffic lights, just to slow the traffic down a little bit so that the mothers coming around the corner, and the cars trying to exit from Garden Lane - I declare an interest, I do - are not faced with a hurtling opponent coming in the other direction. The Transport and Technical Services Department tells us they have a whole host of areas that need attention on pedestrian issues. Well, publish them and put them in a priority and put them before the Assembly and let us vote on those because that is what is required. Or do we have to bring independent standalone propositions? Members, quite rightly because they are busy people, will roll their eyes as we go on into long speeches so I will make this my last Business Plan appeal to Ministers and, at the same time, I will commend one of the Ministries. In the *J.E.P.* it was reported yesterday or the day before, that there was a report circulating about the Housing Department, how it was not fit for purpose and it was dysfunctional and everything else. That is the one department, you know, like him or loathe him, the Minister for Housing, in my view, and his Assistant Minister, have always, always, always opened their doors and their departments' doors to me and my requests and the requests of those people that have come to me. They have done it for opening children's parks, refurbishing children's parks, making sure the gates are open to the children's parks, receiving people at their houses at 10.30 p.m. at night that are crying because they have been beaten up and thrown out of their house over the Christmas period. They have housed people that have been kicked out of their Jersey room that they have lived in for 16 years because they have got a medical condition. They are always there to take on board my concerns and my suggestions, and they have put a newsletter out to their tenants. So that is an example we could follow and that report, I would say from my experience, is not worth the paper it is written on. Something troubles me when reports like that surface as to what the sub-text is. Another department that is doing well is Education. Last night I attended a Parents and Teachers Association meeting at d'Auvergne School and they have got a new head teacher, following a difficult path of an excellent past head teacher that has just retired. She asked the parents there at the end of the presentation - and that is a really, really good school and we are very proud and happy to be there with our child - but she asked at the end, all the parents who want to put up a little post-it note about what you would like the school to be doing. All the teachers in the Education Department have got ideas about where the school wants to go but more importantly let us engage with the parents. Where do you want it to go? I

thought: "For the first time real engagement, real engagement about what the actual population wants and where it wants to go." That is what is missing, that is an element that is missing in this Business Plan. Not only from the Back-Benchers who are now going to be lambasted for not having turned up to the meetings, probably me included, but I feel so ... It is such futility and disengagement that I feel over these years. If the Council of Ministers want us to sign up to their Business Plans and their department's Business Plans, then can we see some more examples like that of Housing and that of Education. Before I finish, Transport and Technical Services and yesterday's debate talking about the waste and the fact that the most harmful elements of waste do not go into the incinerator. As I said in my speech, the black bag element which is the vast majority of waste goes into the burner. You could put anything you want in a black plastic bag and it will get burnt: electronic toys, VCRs, televisions - it will get burnt; batteries, glass - it will get burnt. Put it in a wheelie bin, it goes in the back of the rubbish tip and it will go in the burner. That is my experience. That is the officer's evidence to us at Scrutiny and yet we are told by the Minister for Transport and Technical Services: "Oh, none of that happens any more" and we are told by Senator Routier: "Oh, I am glad now; I am relieved about this because now I was worried but now I am not." The Assistant Minister says: "Well, our doors are always open." He comes to see me afterwards very kindly and says, you know: "Any time you want, the doors are open." I said: "Well, okay, take me down with my new chairman of the Environmental Department and let us look at the open doors for the sewerage pumping into St. Aubin's Harbour." "Oh, no, I did not mean that. I meant a grand tour." I said: "I have had a grand tour." "Have you seen the cavern?" "I do not want to see the cavern. I want to see what I believe is pertinent to what is being reported to me from the public and challenge the departments in a meaningful way. I do not want a grand tour." All of this support and blind obedience and subservience to a cause is pointless if that cause does not have a grander plan than an Annual Business Plan. Why is it that we have to bring propositions as Back-Bench Members on things like smoking? Why is it I am considering bringing a Back-Bench Member a proposition on smoking in children's parks? Why is the Health Department not banning smoking in children's parks? Children's parks, oh, it is a thorny issue because the Constables have got some of the parks and then, you know, some other people have got some other parks and then some other parks have got some other parks and the health ... it is like smoking in a gymnasium. Children go out of their houses into parks to exercise. We would not stand for smoking in gymnasiums, we should not stand for smoking in children's exercise facilities and it really should be brought forwards by the Minister for Health and Social Services immediately to tackle this very serious issue. The other morning I walked out with the Constable of Trinity from the front of this building and in between the steps and the stairs, which I had to at least state upon because from the stairs it is the Constable of St. Helier's responsibility, but in between the doors and the stairs which is T.T.S.'s (Transport and Technical Services) responsibility there must have been 60 fag ends, a coke can and an empty water bottle; 60 fag ends at the door step to the States Assembly, absolutely disgusting and disgraceful. If we are asking the businesses and the people of Jersey to clean up their act in terms of litter and stop the drop, then we really need to get our heads around our own front door step and we need to get the Minister for Health and Social Services to bring forward proposals on tackling smoking because it still remains the number one killer in this Island. Smoking and drinking, yes, they are the main causes of head and neck cancers and throat cancers and illness, so we can do something about diminishing those. I had written some other things that I would have liked to have said but I have already gone past the glazed eye time limit. I am being told I should carry on. I will try to cut it down. I agree with the Deputy of St. Mary; better information services from the States Greffe which should be enhanced and I was thinking, you know, I have just been sent a transcript from Verita to make sure that the submission that I gave was correct and in terms of what I said to what was written, and there was a couple of issues, just small ones, about some of the words that were interpreted and then I thought, well, we have got a transcription service for the States. I do not believe anybody ever checks what is said and what is put up on the website and, apart from an audio service that you could purchase or an audio service that States Members can go and get, if there was a constant available internet

portal that we could access in terms of audio then we could hear what was said by whom and with the meaning and passion as to what was said, but, more importantly, if we had the facilities that Deputy Le Hérisier has been speaking about and access to those then we could see who was in this Chamber at the important times when these speeches are being made and we could see those people that are engaged. The waterfront, just very briefly, Chief Minister, if I may please, through the Chair, I think we need to move on that. I do not think we need to see that stalling any longer. I would like to see, and I have mentioned this before to the Minister for Treasury and Resources and the Minister for Planning and Environment, small areas developed by local firms in conjunction with the States, supported by the States, underwritten by the States. They built a bridge from Sweden to Denmark with interstate guarantees from Sweden and Denmark because the State underwrote the risk and because they underwrote the risk they went to the bank and borrowed the money at such a low amount of money that they are able to make it financially viable and they achieved something incredible. It is really incredible. Our waterfront could be incredible. At the moment it is unbelievable. It needs more housing, it needs more forethought. We lost the Les Pas area so why do we not build the marina that was envisaged by Mr. Fall so that we have something better to look at than just a big huge box that has been designed by some international architect. The T.V.s from T.T.S. as well go off to the U.K. to a reputable company. I wonder where that reputable company sends them. Does it deal with them in-house or send them on to China? I will cast my hat into the air once more and at the feet of the Minister for Transport and Technical Services and his Assistant Minister because I have given him a bit of a hard ride in this speech. The Howard Davis Park is probably one of the world's finest parks that I have seen. I have been around the world in my time and I have seen parks and I have seen gifts to people of land. We have got a wonderful park at Millbrook and we have also got a wonderful park at Howard Davis in St. Saviour. I was in there on the weekend as well in the children's playground, again looking at the new facility that had been painted up, and I have never seen the park in a more dilapidated state. I appreciate the States do not have any money but the actual state of the park and the gardens, apart from the memorial garden, were unbelievable; unbelievable. I do not know what we are doing to encourage weddings in the rose garden or handing over activities more towards musicians, et cetera, to use that bandstand and ploughing money back into the park. Deputy Duhamel and I approached the Minister for Transport and Technical Services and offered to put on Christmas lights in the park and we were given a bit of a backhanded reception. We were told, you know, it is all so difficult, you know, la, la, la. I will throw my hat at the feet of the Minister for Transport and Technical Services again to see if any of the Ministers really want to engage with us. I would be quite happy to work on that, as I was quite happy to offer to work on St. James Centre, as I have been quite happy to work on the compost site, as I have been quite happy to work on other areas, but if no one is going to ask us to get involved with the hands on approach, then I am sorry this is the state of affairs that we have reached. Back-Benchers like myself and others have got to the point where we have just become disengaged much like the public. We feel that our input and our efforts are futile. Our criticism remains. I think there is some strong leadership available within the States. I think the Minister for Treasury and Resources, although new in the position, has a difficult yet manageable task and has the ability to take us out of this position but if we do not all pull together we are going to pull apart.

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

Just pointing out the objectives of the Chief Minister's Department on page 11, I have been looking at the Chief Minister's Department objectives compared to the Annual Performance Report that we only received last week. On the actual response to that report there were 3 or 4 areas of the objectives which are still in 2010's Annual Business Plan which only have a summary of ongoing, nothing about what happened in 2008 and where they are with that particular objective. I mean how are Scrutiny or Back-Benchers supposed to measure that against the department and hold the Minister accountable when we do not know what has happened in 2008 with regards to that key objective? In response to that, I will point you to Objective 1(ii) and (iii) and also (vi) I think

where it just says ongoing, but it does not say what has happened in 2008 as to what the department has done that year, and it is great to carry it over and say that we need to continue doing this, but we do not know what has already been done so how can we measure that in the future? Also, with regards to the aim, I have a bit of concern with the “provide direction and leadership to the public services”. Through doing our annual business review for Scrutiny it was probably the most difficult Scrutiny review we have had to do and we will be continuing it again next year. The problem I have with the word “leadership” there is that by law the Chief Minister does not have any responsibility or accountability for his Minister’s actions within the Council of Ministers, so what leadership does that drive from there and how does that aim become achievable for his department? I am just wondering if the Chief Minister could reply to that and advise exactly where we are going with the Chief Minister’s Department and how the Council of Ministers are driving forward.

The Bailiff:

Does any other Member wish to speak? Very well, I call upon the Chief Minister to reply. Deputy of St. John.

1.6 Deputy P.J. Rondel of St. John:

When the Minister is responding could he let Members know ... we have an Emergency Planning Board, could he let us know who the Board consist of, whether it is Chief Officers and the like or whether it is outside members, and it is claimed within the report on page 12 of the larger book that a resilient structure has been agreed. If it has been agreed and being developed I have some concerns because for a long time under the previous Chief Minister, and under the way that the Emergency Council was run in the past of which I sat on a number of occasions, and having met the new Planning Officer, who I must say is efficient, I do have concerns that in the event of a real emergency to this Island whether it be ... and we have seen our fire service very stretched over the last few months with certain fires and the like, and the training and we were told on Monday by a Member in question time that only 4 members were going on a fire appliance. It is a concern to me that we are at the moment pushing everything to the limit and in the event of a real emergency, say we had another Hotel de France or a big fire like we had on the Esplanade a few years ago where we had our back to the wall, and I am aware that at the time there were plans if the fire had jumped across to the big car park behind that we would have had to bulldoze a whole street out to make a clearance but I am concerned now that because of the manpower to me, and I would say there are manpower shortages because if there is not sufficient funds to keep on bringing additional officers in and likewise within the police, the training appears to have been slowed down to bring in new recruits. Even if it is only a dozen, those dozen people can make a big difference in an emergency. Further to this, is the Emergency Planning Board being paid? Historically, we had a very good system, which was disbanded about 7 or 8 years ago, where all the Parishes had Parish Liaison Officers in teams within their Parishes; apart from the honorary system, there was a side of that who had a programme in place. Now, all that fell by the wayside at the end of the Cold War, so in the mid to late 1990s that was closed down, but I do have concerns at times. We have all been told about this pandemic that could hit us. There are a number of areas that really concern me and are we really up to speed or do we have to go to the Chief Minister to get additional funding in the event of all these emergencies? I would like to see an emergency programme because all we have seen so far with the meeting I have had and explained to me by the Emergency Planning Officer and the little booklet that has been sent out, I think we could do, particular Members and the Parishes I am sure, the Connétables, could do with somewhat more information. Historically, we had a handbook which was probably an inch and a half thick, and all that was delivered recently is a very small publication of a quarter of an inch thick, if that, and for the younger Members obviously it would be in millimetres and whatever but that said, I do have concerns and there is very little said under page 12 in the book here under emergency planning, and if he could give me some reassurances that in the event of a big problem that we can manage. Secondly, I noted in questions on Monday that in a written reply from E.D.D. we had the cost re £300,000-plus on the

Howard Davis vessel being sent to the U.K. to have new engines, et cetera. Well, that is all money being spent off-Island, Minister, and any tax would not come this way. We have very experienced marine engineers that I am sure could have undertaken 90 per cent of this work, if not all of it. There are one or two. I went through it with quite a fine tooth comb, there were a number of items, small items of maybe 10 per cent of the whole value of the works done on that vessel, but £300,000-plus on a refit is a colossal figure given the age of that boat and the work it does. If money is to be spent it should be spent wherever possible locally because it is the local companies that pay the taxes. We have been saying for the last year or so since the recession kicked in, or since the downturn kicked in, that we must look after local companies and yet we sent one of our own vessels to have the entire work done on this vessel off-Island. Now I think that is totally wrong. This work could have been done locally and I think that needs to be looked at, and any future work that is done on that vessel or the States tug and the like, some of that work can be done locally within the Island. On the tug, obviously it would be a bit more difficult because of its size. Then I move on to, and I think it has already been covered, but for years I have been going on and on and on about the condition of our roads and, in all fairness, the public are sick and tired of having the promises. We had the promises in 2001 that by 2004 a proper programme would be put in place to resurface our roads. We had all these surveys carried out in early 2000, 2002 or 2003 where vehicles came over from the U.K. to carry out these in-depth surveys of the condition and reports were given, and I was told prior to leaving the House in 2005 that this work was all getting put in hand and the roads get in a poorer condition year-by-year or month-by-month so much so that I have had to take it upon myself to ring up T.T.S. and report subsidence in certain areas of roads. Now that should not be necessary. We have let our infrastructure fall to such a poor state and the amount of money, that even with the stimulus package that is being put in, is far too little and in the good years when we had an opportunity of doing something about it, you were the Treasury Minister of the day ... sorry, the Chief Minister was the Minister for Treasury and Resources of the day, and the Minister for Treasury and Resources of the day should have made sure that funding went into looking after our infrastructure. Likewise to do with our main drains extensions and the like; yet again we are told yesterday that there is no money going in from the stimulus package into main drains extensions yet these people who live out in the country without the benefit of main drains are paying twice to have their sewerage removed. There will come a time when civil disobedience will take over and we do not want to go down that road, but it has been spoken to me about on several occasions over the last year or two and really, Minister, I hope you are listening. You must ...

The Bailiff:

Through the Chair, please, Deputy.

The Deputy of St. John:

The Minister must make sure that the infrastructure of this Island is put back into finer fettle. I know there is a stimulus package but that does not kick in yet for another couple of years. In the interim, I do see people coming forward and will put claims in against the States of Jersey if they are going along these roads on their push bikes or scooters or whatever and there are accidents. I myself have been unfortunate enough to come off in a green lane because of lack of maintenance and I wrote to the Constable concerned, but really I do see problems for the future because the Ministers in whatever position they hold today and held in the past made promises that they have not kept. I think I have said sufficient and I will sit down.

1.7 Senator B.I. Le Marquand:

I rise simply to respond to points made by the Deputy of St. John in the fire safety area. He is, of course, quite right that if we had major incidents this would put severe pressure upon resources. Indeed, the two furze fires recently put pressures. The problem is not one that is easy to solve because we are not like a county in the U.K. who can call additional resources to come over from the next

county or whatever. The way we seek to operate is to have a core staff and, of course, in emergencies it is all hands, perhaps not literally, to the pumps because we can re-deploy staff who normally work in offices who are also trained as fire-fighters. We have our reserve fire-fighters ... I have not used the right words, retained fire-fighters - part-timers - who are available to be brought in on-call in order to increase the numbers. We also, in case of an emergency involving all fires, in fact, have to call ultimately upon the fire service people from the airport who have expertise in this area. That, of course, would then close the airport in the interim period but nevertheless we have that possibility available. We also, if necessary, I am sure would call upon our colleagues from Guernsey to assist us. The distance is not so great so there is a great deal of resilience built in there. Where problems have occurred in recent times so I am told by the Chief Fire Officer is when we have had ongoing things like furze fires where there is such a length of time that fire-fighters have to be in operation that they start getting exhausted and even with the numbers brought in, that is the main potential difficulty. A huge, huge incident, of course, would also pose difficulties but we do have in place plans, we do have in place systems but it will never be perfect in a small jurisdiction for the reasons I have said.

1.8 Senator B.E. Shenton:

We are obviously a small Island and we spend a large amount of money on the education system. Indeed, we spend more per child than our Guernsey equivalents do. So it was quite interesting when I asked the Minister for Education, Sport and Culture a couple of sessions ago to publish the results of individual schools because I was aware that some of the results of some of the schools was certainly not better than the U.K. and, in fact, some of the results of some of the schools were not even equivalent to the average in the U.K. The Minister refused to publish the statistics and I shall be pushing for these statistics to be published. I note under Education, Sport and Culture Objective 2 is to: "Continue to raise standards and improve key outcomes for children and young people. The success criteria is that G.C.S.E. (General Certificate of Secondary Education) and A level results continue to compare favourably with benchmark authorities." Now I would just like to ask the Council of Ministers or the Chief Minister or whoever, how as an Assembly we can ensure that the success criteria has been met when the Education Department refuse to publish the G.C.S.E. and A level results, so therefore how can we compare them with the benchmark? What they do at the moment is they take the private schools and spin it to make it look like we are achieving much greater results than we are. The success criteria is clearly laid out and I would like the commitment that the results will be published and that we will be able to compare the results with the benchmark as set out in the Annual Business Plan.

1.9 Senator A.J.H. Maclean:

I rise just to make some observations to the questions raised by the Deputy of St. Mary. The Deputy asked a number of questions, in particular he started with sustainable economic growth. I think he was keen for a definition. I will start by drawing his attention and Members' attention to comments annexed to the Business Plan where my opening statement says: "The aim of the Economic Development Department is to facilitate economy-wide productivity improvements over the medium term which will lead [lead] to sustainable economic growth, low inflation and diversification in the economy." I would go on to assist the Deputy with some comments about that. First of all, I would say it is not government that delivers economic growth; it is businesses that deliver economic growth. Government's role is to remove as many barriers as possible to the business sector to allow them to exploit commercial opportunities that exist. By doing that and by ensuring that appropriate legislation is put in place, we can ensure that not only do we diversify our economy but we help to grow it as well in a sustainable long-term way. There are examples of areas that my department are working hard to develop. We recognise clearly that the finance industry and the finance sector is the major contributor to our economy. That sector itself is diversifying; it is looking at new products. We helped to develop legislation to allow those new products to be brought to the market place. The finance industry is looking at new geographical

markets to exploit as well. Jersey Finance is leading in that particular area and doing, I think, an excellent job and we will continue to support them in every way that we possibly can but it is not just finance. We should remember that in the Island approximately 80 per cent of our businesses are small businesses. The definition of small business that I am referring to are companies or businesses that employ 5 or less people and it is that area and for that particular area that we have looked to support by introducing in 2008, Jersey Enterprise. There has been confusion, I think, by a number of Members, and the Deputy of St. Mary is one of those, where he refers to us taking money away from key legacy industries like tourism and agriculture. That is not the case. I mentioned in questions the other day about reprioritisation of our budget. It is reallocation, reprioritisation; all those things. What it means is, and this is an important point, that we have taken funding from certain areas like agriculture and like tourism we have put it into Jersey Enterprise. That is the function of the facility, which is used to support all businesses across all sectors so there are tourism-related businesses and agricultural-related businesses that can benefit, that we are helping to assist and to grow their market share so they are not necessarily losing out, we are just trying to do it in a more productive way and I think it is working quite well. I have to say that already ... I am happy to give way if the Deputy wants to ask a question.

The Deputy of St. Mary:

Specifically, I just want to ask the Minister to comment on this statement that if you take something from the tourism budget and put it into the Jersey Enterprise budget that somehow helps **[Approbation]** tourism businesses, and I just want him to comment on that there is a cut of £198,000 in destination, marketing and communication and a cut of £47,000 in events. That cannot somehow magically help businesses in tourism. Jersey Enterprise is doing a different job. I would just like him to comment.

Senator A.J.H. Maclean:

No, not at all. The Deputy has to understand that businesses need support in many different ways. It is the direct support to businesses on the ground in these different sectors which can be delivered most effectively and in a targeted fashion. By a specialist organisation like Jersey Enterprise is the appropriate way to do it. I am convinced it is the way to do it and I am convinced it is working and I think statistics begin to prove that. We can already see this year 1,175 businesses in the first 6 months of 2009 across all sectors, and these are small businesses, have been supported. These are new business start ups and they are existing businesses, and that is absolutely right and it is the way that it should be. It is the way we can most effectively deliver diversification and economic growth. There are lots of areas, I should add, that we are looking to develop the economy. I mentioned only the other day about intellectual property. Members will be aware of the new Intellectual Property Law we hope to bring before the House in the first quarter of next year; that is a significant piece of legislation. There are over 400 articles to modernise this law which will open up all sorts of potential opportunities for that particular sector. That, of course, will assist e-commerce, a growth area. We have talked about eGaming possibilities and opportunities; again subject to Members' approval next month when various pieces of gambling legislation come to the House. I should point out that even now it was only last year that we introduced disaster recovery legislation. We have interest from one of the largest eGaming operators in the world looking at Jersey should the legislation be passed in a month's time. These are opportunities to diversify the economy and drive additional profitability. It feeds into telecommunications, it feeds into opportunities for businesses to develop areas like data centres, which we are already beginning to see happening. These are areas we cannot afford and should not be overlooking. Expansion of our shipping register is another area that we are developing, and rightly so. Business planning and advice, all of which is delivered as I was saying a moment ago through Jersey Enterprise, who also have a further function which is access to finance. Businesses, particularly small businesses, need to have appropriate access to funding. Members will be aware with the difficulty since the global financial crisis of businesses, particularly small businesses, getting funding to both maintain their

existing business and also to expand. Jersey Enterprise has products like the Small Loans Guarantee fund which has been expanded and we hope is going to help in that area, but also shortly to be announced we have been working hard on the development of a Business Angels Network where private individuals will help to assist local businesses with appropriate funding. These are all initiatives and there are many more which are being worked on by the department to help diversify the economy and to drive economic growth. Economic Development has quite a significant amount of discretionary spend within its budget and that, I should add, is exactly as it should be. We have to respond to business needs. We have to respond to what is going on in the market place. The recent financial crisis, the global financial crisis, is a fine example of that. We were able to respond by helping sectors like the tourism industry during 2009 with an additional £750,000 of funding. I should add that part of that came from the Tourism Development Fund which is absolutely right and part of it, I am delighted to say, came from the industry itself through the Jersey Hospitality Association. That is government and industry working together to find a solution to a common problem and that is again exactly as I would hope in the future it would occur. I have already mentioned the size of our small business sector and the attention that Economic Development are putting into supporting small businesses. We should not forget that it is the small business sector, the little acorns that grow we hope into mighty oaks. We have examples in Jersey of companies like, and I do not wish to single them out particularly, but Play.com is well known to Members who grew from a tiny little organisation into a player that operates on the world stage. There are other companies like that, that with the right attention and the right funding have the opportunity to grow, to diversify our economy and to deliver the sort of economic growth that we all desire. The other points just briefly to mention, the Deputy of St. Mary did make reference to the Skills Executive. I am delighted with the work that the Skills Executive had done. Clearly, it is not just an initiative from Economic Development; Social Security and Education, Sport and Culture are also integrally involved in that particular function. The only point I would make to the Deputy is he did I think, if I am correct - I do not wish to misquote him - but I think he made the suggestion that government is in the best position to identify where future demand is in the jobs market. I would say that is absolutely not the case; government is probably the worst at trying to pick winners and identify the direction in which future demand and opportunities for jobs would be. It is businesses that know exactly what is required in the market place.

The Deputy of St. Mary:

Could I just make a comment on that? It was the Minister himself I think who told us at a Scrutiny Panel hearing that the take-up of advice and so on in the tourism sector in particular was not as good as it should be. Some people are ... well, I was going to say are their worst enemies, you know, that people need a bit of proactive approach maybe from government sometimes. I am not saying that government always knows best but certainly in terms of horizon scanning we have more expertise than the average small business.

Senator A.J.H. Maclean:

I think what the Deputy was referring to at the Scrutiny meeting was I made a comment about the fact that businesses within the tourism sector had taken the least amount of advantage of the Jersey Enterprise function, and that is something we are working on to ensure that they utilise the services offered more effectively than they have been to date. I am glad to say that it is since that meeting we have seen more increase in the level of businesses getting assistance and that is exactly as it should be. As far as statistical information is concerned, yes, government is in the appropriate position to collate statistical information. Certainly, Economic Development is working hard to put together a suite of data that will help advise us as to what is going on in the economy in a forward looking way as opposed to the historic statistical information provided by government in the past. That I think is positive; that is by engaging with businesses at all levels in all sectors and different trade groups to have a greater and closer understanding as to what is going on in the economy and

that is important and we will continue to do that. Working together, government with business, is the way that we deliver the success that we all need within the economy and expect. Thank you, I think that is all I have got to say.

1.10 Connétable M.K. Jackson of St. Brelade:

I think it is incumbent on me to respond to a few remarks that have been made this morning by various people and I might refer to Deputy Le Claire's speech earlier with regard to particularly waste and sewerage. I think I referred to the composting site at La Collette and would ask Members to refer to page 116 of the Annex which clearly says that the in-vessel compost project was reviewed in 2009 and an approach to improving odour measures at La Collette site has now been agreed with the relevant regulators. I am hoping to develop this during the course of the coming year and it is clearly set out there. Likewise, the reference was made to sewerage discharging to St. Aubin's Bay. This is not the case. Untreated sewerage does not discharge into... Well, the Deputy referred to St. Aubin's Harbour but that, of course, is not the case. Treated sewerage is discharged through the outfall at Bellozanne.

The Deputy of St. John:

Could I ask for a point of clarification? It is just a detail. The Minister mentioned that odour control was going to be put in at La Collette on the composting site. Do you have a timeline for that?

The Connétable of St. Brelade:

Yes, a phased enclosure of the elements of the composting system will be put into place to steadily decrease the odour generation. All down to funding, we are determined to get this under control and we are conscious of the effects of the smells, the odours, from compost on the residents of Havre des Pas. Something needs to be done.

Deputy P.V.F. Le Claire:

Could I ask the speaker to give way just for a second? I may have inadvertently commented that untreated sewerage was being lost in St. Aubin's Harbour. I do not recall that and I mentioned ... I meant St. Aubin's Bay and I meant sewerage ... and there have been answers and questions in this Assembly where there have been 3 licensed discharges into the sea this year in response to questions I put to the Minister for Planning and Environment so that is not factually correct.

The Connétable of St. Brelade:

I have to beg to differ with the Deputy on that. In fact, the untreated sewerage is not discharged into St. Aubin's Bay. The only time that untreated sewerage may appear is in excessive rainfall conditions if the plant is unable to cope. That is on very rare occasions and does not always come from the sewerage plant. I would refer Members, to develop on from this, to page 116 of the Annex.

The Deputy of St. John:

A point of clarification if I may?

The Bailiff:

It is up to the Minister whether he chooses to give way.

The Deputy of St. John:

In the Minister's remark, can he clarify that the untreated sewerage if it does get into the Bay would come from the cavern at the times of heavy rainfall if you have a double-whammy of a storm?

The Connétable of St. Brelade:

That is correct. T.T.S. will be bringing its Liquid Waste Strategy to the States in late 2010 and this policy will encompass proposals for the way forward for both the transportation system, and that is the sewerage system, and for the liquid waste and sewerage treatment process. Deputy Le Claire mentioned a couple of issues with regard to Garden Lane when we are in discussion already on that, and I am quite happy to engage with any Deputy, with any Members' issues, with regard to my department's manifesto. Smoking in children's parks, I agree entirely and maybe that is an issue, whether it is for my department or for the Public Health Department or Deputy Pryke's department remains to be seen but I think that is something that should certainly be progressed. Likewise, cigarette ends on the doorsteps of the States. Well, maybe we need to address our concerns to one or 2 Members who may be the culprits in that case. Maybe a dust pan and brush [Laughter] should be provided outside. The Waterfront Havre des Pas Marina concept is alluded to. I am not sure really whether that has merit these days in that there were considerable objections levied at the time from, I think, residents of the Havre des Pas so maybe the Deputy would like to delve further into research with regard to that. In terms of the parks, we have already had a conversation on that. The Parks and Gardens Department were stripped quite heavily some 4 years ago as a result of cost reductions once again, and the department struggles to maintain not only the parks but the public areas throughout the Island, and that manifestly it is clear that they do not keep up. For my part, I am determined to turn that around as I can within the funds available at the moment because I think public perception is important, and the Deputy has alluded to the fact that he would like to contribute to that and I would be pleased to take help from that direction. In terms of the consultation with regard to the La Collette Energy from Waste Plant development, it is very difficult to consult with everybody and the Scrutiny meeting held earlier this week or last week with regard to that really brought out the fact that consultation was extensive at the time. I do not think any more can be done but what has turned out was that there were groups that have not met for some years that suddenly appeared on the horizon and I think the department did as much consultation as they possibly could but maybe mechanisms for consultation need review but I am quite open to that. In summary, my department is keen to have Members' views on board and develop them. There are cost implications which Members must understand and we are constrained and in these difficult times we have to prioritise and I hope we do to everybody's satisfaction.

1.11 Deputy M. Tadier of St. Brelade:

I know people's attention spans are running low so this will be less than 5 minutes. I was originally just going to keep it very narrowly to talk about one aspect of housing but I feel that now we have talked about economics I have to come in, albeit very briefly. We heard from the Minister for Economic Development that it is important to remove barriers for business and it is not the Government's place to put up barriers, but I suspect that is slightly an over simplistic analogy and maybe the word "barrier" is not the best one to use because you could argue that, depending on the circumstances, it is quite right for a government to put up the barrier and I will give a few examples. I think this is to some extent what the Deputy of St. Mary was getting at earlier. For example, it is quite right to put barriers or, let us say, restrictions or regulations on businesses. We do that with smoking. We do not sell cigarettes to anyone under I think it is 18 now - it used to be 16 - because we have decided that is not a good thing socially to do, but that is a barrier that we put up to businesses because that is inhibiting economic growth. If you cannot sell cigarettes to children; that means that your market has necessarily shrunk so we are putting up barriers to business. So there are barriers which are quite right to put up and that would apply to alcohol as well. We know we have a big drive at the moment to try and reduce the binge culture that we have in the Island, which is not limited to Jersey. We know it is a problem in the U.K. but it is certainly very pronounced in the Island. Does that mean we should be encouraging people to drink because that shows up on the till receipts and that is registered on the bottom line as economic growth? I think certainly we do not want to do that. I could carry on giving a couple of examples, I will give one more. We could say we are going to discourage people from wearing seatbelts and encourage them to speed around the Island because if they crash then we would have to call out a tow

company to pick the car up and that would be registered as economic growth and then we would need more nurses to repair people and the cars - obviously, nurses would not repair the cars.

Senator S. Syvret:

Do not forget the bribes to the police officers. **[Members: Oh!]**

Deputy M. Tadier:

I am sure that does not happen in a place like Jersey. But sure, if we were to encourage bribes then that would also put more money into the economy and promote economic growth, would it not? So maybe the word “barrier” is not the right way so we know that a completely *laissez-faire* market, while some people might think that is a good thing, is not the way forward. We do need a balance and perhaps we should not so much look at it as a way to removing barriers for economic growth because the same thing can be said of removing barriers to social cohesion and sometimes you may need to put a barrier up for economic growth in order to have more social cohesion, and the examples there are some of the things we have talked about. It does link quite conveniently on to an issue of housing, which I will talk about in a moment, but I just want to talk very quickly about the oxymoron of sustainable economic growth because this is a mantra, which is preached basically throughout the Business Plan and throughout the Strategic Plan; that we have to have economic growth which is sustainable but ultimately we live in a finite world with finite resources and surely the long-term goal, as many economists have said, is to have a steady States economy. What is the point in having economic growth if we do not want people to have vast amounts of wealth? Surely you just want to have enough to get by in your daily life and anything more is an excess and, remember, you cannot have wealthy people without having poor people. I think there is adoption which is being preached by liberals in the conservative sense - if that is not an oxymoron; I am talking about free market liberals here - that you can be both, everyone can be wealthy. I mean this is a complete nonsense. If everybody is wealthy then everyone is the same so you are not wealthy in relative terms, so I think we need to get away from this idea of economic growth as some kind of panacea to everything and, of course, that does have implications on the housing marketing. It was something that Deputy De Sousa said earlier which initially made me want to get to my feet and she spoke about Property Holdings and selling off properties. The reason I bring this up now is I have lodged an amendment to do with a piece of property in Library Chambers. I do not want to pre-empt that debate in any way but I think it is quite important at this point, and I think the Deputy gave a very good speech that there are issues about selling off of public land to private developers. Certainly, there may be times when it is necessary to do that but I just wanted to ask in particular Deputy Le Fondré, we did speak about it very briefly. This amendment is being opposed by the Council of Ministers but there is a covenant or a condition that when the library was gifted to the States it was said that it should be ceded in perpetuity to the States. Now I am not a lawyer but I looked perpetuity up in the dictionary and that means that it is to be left to the States for ever - that might be a slightly simplistic view - and if we are going to ride roughshod over these things and decide that we can sell it, even though it is a site of special interest as well, what I have asked for from the Deputy is that I could be provided with the actual terms of the contract so we can have a meaningful debate, but I would ask now if the relevant part of that contract could be circulated to all States Members ahead of the debate because I think it is basically a nonsense that we are being asked to make decisions when we do not have the relevant information and that we are being asked to trust a department. That is not to say we should not trust them but we need to make informed decisions, so I would ask that we have the actual wording of the contract so we can decide whether or not we are even allowed to sell that building ahead of that because that is something which is quite worrying. I hope I have not gone over 5 minutes. I think I am probably on my fourth minute now so I will sum up. **[Laughter]** Very briefly, the whole idea of affordable housing that we are hearing, we either decide whether we want affordable housing or not and things like speculation, population and the greed of developers, which are fuelling soaring property prices, and these are things which are being tolerated by the States. Whenever people come forward with ideas for

windfall taxes, capital gains tax, they are constantly rejected because they do not fit into the mindset of, in particular, our Minister for Treasury and Resources. These are the things, in fact, which would be controlling house prices and I think we have had a lack of vision here and I would like to see some original and imaginative thinking on the part of the Council of Ministers.

1.12 Connétable J. Gallichan of St. Mary:

I would just if I can like to give some degree of comfort to the Deputy of St. Mary in respect of the points he raised regarding the States Assembly website. I would like to assure the Deputy that the key word really is integration and the States Greffe has, of course, had to wait in order that it can join in the States Assembly upgrade with the corporate upgrading of www.gov.je. I would further like to assure him that the needs of Members are well understood and recognised and that the Greffe staff is working to try to enhance the site to ensure that the work of Members is made easier. To that end, there have been discussions with the site developer who now also understands the needs and detailed work should be beginning early in 2010. Among the enhancements being looked into are such things as the possibility of web streaming debates and a whole attempt to make the site more interactive and more client-focused, so I hope that gives some comfort to the Deputy of St. Mary.

1.13 Senator S. Syvret:

In between various other things I am engaged in at the moment I am working on my memoirs. **[Laughter]** I have made good progress in recent months and I do not quite know whether I will ever get them published of course, but it is a very, very interesting exercise to look back over the years of one's involvement in politics. I am still working on a title for the memoirs. There are obviously a few strong candidates but one of the titles which I have considered is: "I told you so" and I was reminded of that when listening to some of the comments this morning and, indeed, listening to speeches like that of the Deputy of St. Mary and thinking how much sense there was in what he was saying and how intellectually philosophically this Chamber generally seems wholly incapable of grasping these realities. We also heard some comments from Senator Breckon concerning the health strategies for the Island and the failure of the department to deliver their much warranted *New Directions* strategy, and that too reminded me of work that I had done. We do not as an Assembly, we do not as a political culture, succeed in any kind of effective or meaningful sense in addressing the long-term needs of the community as a whole. We do not succeed in doing the kind of risk planning, risk assessments that the Deputy of St. Mary said. We simply plough on with a kind of ignorance and arrogance that is often frankly breathtaking. Another thing I am thinking of doing at the moment and I am serious about this, I had discussions with Members of Parliament of going on the run to the U.K. and seeking political asylum **[Laughter]** as a dissident from a criminal regime. When I look at the Island I would leave behind I feel quite sorry for the community because we just do not think ahead. I listened ... well, I did not listen, I read a little about the Institute of Directors Conference that occurred the other day and the real Chief Minister, Senator Ozouf, spent a great time talking about how there had been a complete failure in long-term political leadership of Health and Social Services. I listened to this with amazement and I was thinking back over all of the occasions upon which I struck, strove, I cried to make the department engage properly in long-term effective planning and it simply failed, and I got virtually zero backing from the then Council of Ministers, Senator Ozouf notably among them. In early 2007 I received the first draft of the *New Directions* strategy which Senator Breckon referred to when he spoke. Do not let anybody tell you that I am not capable of being diplomatic and tactful because I did write a 10 page critique - and I have a copy of it here - back then in 2007 in which I tried to be reasonably polite, but in truth when I received that document - and this was the work of lots of immensely expensive professionals employed by Jersey people who had been working on this document for several years - I just frankly was rendered speechless at how ineffective, inadequate, hopeless and appalling it was and I think the fact, as Senator Breckon has pointed out, that it has now been on the starting blocks without moving for years really does say a great deal. I

will quote just a couple of pieces from what I wrote in that and these are the kind of issues which if we were properly engaging with the business of making a business plan for the future of the community we would be looking at these kind of failures to deliver cohesive policies and we would be integrating it into our thinking today. I wrote then: "The cost of delivering all that is provided by Health and Social Services is already by a large margin the single most serious and onerous cost to the States and taxpayers. I, therefore, find it startling that there is not a chapter that deals with the cost of healthcare: how it is to be funded in the future, whether it is realistic to continue to rely on central taxation for all of the year-on-year revenue, whether we need to embrace a European-style social insurance model of funding at least partly for secondary care. Given the funding pressures on the States because of Zero/Ten, *et cetera*, health will come under more and more pressure when competing for tax revenue with other departments. How is the taxation burden placed on the whole economy by healthcare best addressed?" Staff that we spend probably several million pounds on a year in total all told have not been able to address these issues for the period of... well, given another year or 2 it will be approaching a decade and if that is an illustration of how competent the States of Jersey is at long-term planning then heaven help us. I will give you another example, and I quote again from the report, and this is in reference to the need for this community to have some kind of funding mechanism along the lines that we see in Guernsey for long-term continuing care. It had been spoken about for a number of years by my Health and Social Services Committee before Ministerial government even came in and I wrote this in my critique: "If you ask the average politician or most members of the public what is the most eagerly awaited feature of this report it is the continuing care social insurance proposal." The report does indeed address the subject, but I feel in nothing like enough detail. Basically, the report says: "We should introduce such a scheme." Well, yes, but we have been saying that for at least 5 years now. Is it not time for a little more flesh on the bones? I wrote this in March 2007 so we are now nearly 8 years down the road from when we first started seriously looking at a continuing care scheme for elderly people and indeed others and, as far as I can see, we are not a mile closer to it. I also wrote, and this relates to questions that the Minister for Health and Social Services was addressing earlier this week, I quote: "I was surprised at how little nursing and nurses featured. Nurses are crucial to pretty much all we do. We face a variety of challenges in recruiting and retention. There is a worldwide shortage of nurses. How do we propose to strategically plan to deal with this problem?" Again, we are no further forward advanced that we were on that occasion. That is a particular area of State responsibility that obviously I was very familiar with and when I look back at these kind of issues one of the overriding conclusions I always come to is that mythology that we kid ourselves with and we kid the population with over the decades that the States of Jersey is somehow a model of good governance and good government, imbued with wisdom and proper forward planning and thinking; it is absolute rubbish. This institution we occupy today and the broad edifice of public administration we preside over is utterly incompetent and dysfunctional, catastrophically so. I can cite another issue which illustrates our failure to properly plan for the future and again this is an issue that has been raised by other speakers this morning. Again, the Deputy of St. Mary addressed these issues. Deputy Tadier spoke also of them and I am talking about this whole notion of the Island's economy, economic growth, taxation policies, what do we do for the future, what the risks that we speak of? In 2004 I wrote a detailed report and proposition which I brought to this Assembly for debate and again, I happen to have a copy here called *Taxation Policies, A Transparent Inquiry*. In this report and proposition, I was not saying we will introduce X or Y tax, we will do this, we will change our economy in that way and so on. All I was asking for in this proposition was that we stopped the customary inadequate and defective messing around that we have engaged in for decades and engage in a proper, detailed, comprehensive forward planning process, just to look at the issues in depth in an open and transparent and co-operative way to see what options there might be for the future, what options, what risks, what opportunities. How could any reasonable person object to a government undertaking that study? The proposition was, of course, completely rejected by a large margin because again, and I remember the debate very well, the real Chief Minister and he is not in the Chamber at the moment stood up in his customary

way and dismissed it all with his usual short-sighted haughtiness. **[Members: Oh!]** I think that is the real Chief Minister calling his Assistant Minister at the moment. But I will just quote a little from that proposition and the report I wrote. Part A for example said, and this is what I was asking the States to do: “To commission and make available to all States Members an independent risk assessment of the Finance and Economic Committee’s tax proposals with particular reference, but not limited to, the likely acceptability of the proposed rate of 0 per cent corporation tax to the European Union and the O.E.C.D. (Organisation for Economic Co-operation and Development) over the medium and long term.” That is just one paragraph. The argument that was used to dismiss that at the time by people like Senator Ozouf and the then Senator Walker and Senator Le Sueur was there is absolutely no need to look at things like these international pressures again. We have looked at the situation, we have settled upon Zero/Ten. That is the solution to our problems. No need to assess it for risk purposes, no need to consider even seriously the possibility that these things will have to change in the future because the international economic reality means that governments are going to carry on assaulting what is essentially the Island’s economy. I also said in that proposition, and this is at paragraph (c): “To produce and publish a strategic analysis of the risks, effects, opportunities and economic alternatives faced by the Island in a potential post financial services industry future. Such analysis to include, positive strategic proposals for the community should such an outcome occur.” Of course the proposition was rejected so we never undertook that study and today we find ourselves in the midst of a global economic crisis with more and more rabid hostility and pressure to offshore finance. I made a few observations in the report which I think are worth quoting to. Here, for example, I said: “Having spoken to people in the finance industry the more optimistic of them imagine that the Zero/Ten proposals will keep the wolves of external pressure from our door for up to 10 years. The less optimistic give it 5 years.” Where is the risk analysis? There is a real risk that growing international pressure upon what are claimed to be harmful tax practices will eventually dramatically reduce the scope and scale of the finance sector and I fear that that is what we are seeing now. I went on under a little section I titled After the Gold Rush: “Whatever the future may actually hold there is clearly a very real risk that the financial services industry could cease to be a significant part of the Island’s economy. Even some people in the industry will privately acknowledge that its days may be numbered. There are several clearly identifiable factors that could drive offshore to near extinction as far as Jersey is concerned.” I went on further in the report: “When considered in this light the Zero/Ten proposals look more and more like a short term palliative measure and less and less like the required structural reconfiguration of the Island’s tax structure. If there is a real risk of Zero/Ten proposals doing little more than buying us a few years breathing space, have we attached sufficient weight to the down side of the proposals, have we taken a robust enough view of the possible alternatives especially when alternatives may prove longer lived? Extremely unpalatable as it may be we simply cannot ignore a possible future without the financial services industry.” What is of particular importance is the question of what we can do now while the going is good. What we can do now while the going is good, to prepare while we can for what may be an economic meltdown and to perhaps adopt policies in the present that will ameliorate some of the harm. Having written the critique of the *New Directions* strategy and having written those kind of observations in my report and the suggested options in the proposition that we looked at in terms of taxation, that is why I say that I am considering the title “I Told You So” for my memoirs. I say that not because I am possessed of some kind of remarkable genius insight or ability to predict the future, any kind of tremendous wealth of knowledge nor any great intellectual capacity. I make these points because these issues, be it a macro issue like health strategy and planning or the very future of the Island’s economy and taxation structure, are obvious, plain and simple. They are there for any person to have seen, to have foreseen, who gave the issue any real detailed thought, any close analysis whatsoever. The fact that these issues were so easy to foresee, and the fact that the States Assembly in its “wisdom” chose to ignore them, illustrates our gross failure at forward thinking and forward planning. The Business Plan we have before us today, I am afraid, embodies precisely the same cultural, intellectual, philosophical and ideological failures that have led us to be here today

facing a range of internal and international pressures, a crisis, a lot of threats to the well-being of our community that we could have begun to address and plan for some years ago, but in our hubris we chose not to. I hope this particular Business Plan is the last document of this nature that this Assembly will debate and I say that as a hope rather than an expectation knowing the culture of the States of Jersey, but unless we abandon the kind of shallow, frankly ignorant, ideologically constrained nonsense that normally passes for planning by this Assembly and the Island's government, then the issues, the problems, our people, our community face are all ever going to get worse and worse and worse.

1.14 Deputy A.E. Pryke of Trinity:

I will address a few issues that Members have brought up over the last couple of hours. Senator Breckon mentioned about care of the elderly at home and yes, it is high on my agenda and I know the officers and I have been working with Social Security and a Green Paper is due to come out fairly soon, but I am sure the Minister for Social Security will elaborate on that. Elderly care is important as we go into the future and especially in connection with dementia. The Director of Mental Health is working with the Alzheimer's and other associations to put in place a Jersey strategy under the U.K. dementia strategy, which came out in July this year. That is important because it is also going to be linked with a carer's strategy and linked with the end of life which is all in the process of being worked on. These will be fed into *New Directions*. A lot has been said this morning about *New Directions* and when I was elected at the end of April I gave the commitment that *New Directions* would be relooked at in a way that we all can understand, we can all move forward and it means something. That is still high on my agenda and it is being worked on now. A point that Senator Syvret has just mentioned, and he mentioned time and time again, that forward planning is essential and I would totally, totally agree with him and that is my main aim. I can only do one thing at a time and it has only been 5 months, but I aim to take the Health Service forward into the future and I cannot do it alone and need the support of this House to do that. Health and Social Services, because of the nature of it with treatments, drugs, demographic change, is a continuing moving process and I need to take that into account, but forward planning is essential and I stress again high on my agenda. The Strategic Plan to implement *New Directions*, it was in that Strategic Plan and that is for next year. Regarding what Deputy Le Claire said about smoking in parks, anything that can help with the high rates of young people and adults smoking can only be but a good thing and I am very happy to work with Deputy Le Claire and any other Members of this House to bring forward anything that can help. Deputy Le Claire, very happy to work with you if we can progress that. It is not going to be a solution to our smoking problems. I wish it was as simple as that, but it is not because it involves a lot of education, not only in schools but in society as a whole along with the high rates of alcohol intake.

Deputy P.V.F. Le Claire:

Thank you, Minister.

The Deputy of Trinity:

We can forward plan with Health but also taking account that there are things that come along the way that we have no idea are going to come. It just hits us and I can take, for instance, the possible wave of pandemic flu. At the beginning of the year, no one thought it was ever possible and here we are 6 or 7 months down the line with the Minister for Treasury and Resources having to put in a request for extra funding for us. You cannot plan those sort of things however you wish to go forward and wish you can do. Those are out of our control, which we had to deal with and move on and tackle it as best as we can and address it face on. Thank you.

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

Following on from yesterday I will manage to constrain myself to speaking very, very briefly. In many ways, all I wish to say follows on from what Senator Syvret has spoken about at length about

our long standing inability to see the bigger and plan long term. Focus is really on how we treat and plan for symptoms, in my view, instead of tackling causes. As Members know, I have a proposition lodged to explore the issue of naming offenders and I am certainly not going to attempt to debate that now, but here we should - when planning the way forward - be looking at synergy between Health, between Education and Home Affairs because this, as an example, is not about name and shame and retribution. It is, and this is what should be the direction of business planning, it should be about exploring and making plans to combat what underlies that. It should be about anti-discrimination education, it should be about tackling exploitation by employers of very low pay, it should be about looking at career aspirations and real diversity. It should be about parental responsibility, social deprivation, the violent, appallingly violent, sexism images that it seems we are quite happy to pump out into society. **[Approbation]** Yet, we see none of this within the Business Plan. Anyone, I say, anyone, any politician who thinks these things do not have an impact is really living on a different planet. Perhaps beneath it all it should be about looking at the culture that we are just happy to perpetuate in Jersey where apparently wealth and it has been said, greed, is something to be held up, to be striven for, to be proud of instead of looking at community about how we live and value each other. It is about the idea that government is an entity that could be protected with action tomorrow. As we know, the song says tomorrow never comes and until we can face up to tackling such issues, business planning such as this will never be, never ever be, more than a shadow of what it could and should be and, in many ways, I echo what Senator Syvret says, I hope this is the last time we do this because we need to take a wholly different approach. I say we have got to start looking at planning for causes not symptoms. Thank you. **[Approbation]**

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

I would just like to pick up a point that the last speaker made regarding his suggestion that the Business Plan does not take view and consider the bigger picture. Indeed I would like to draw his attention to my department's objectives and success criteria which clearly identifies the need to improve and meet some of the social needs and address some of the social issues faced by our society. This covers every section of our department and indeed it should rightly be treated as such. We are very keen to provide, and will continue to provide, targeted support for the most vulnerable, both children and families, and I commend much of the good work that is being done at the moment through our Pathways and the Bridge projects. Let us not forget that we rely heavily in many different areas on individuals who voluntarily give up their time and equally businesses and other wealthy individuals who provide substantial support to enable these projects to continue and to be maintained and to provide the sort of support that we have all come to accept and acknowledge. There is a partnership approach on this Island. This is not just about the States and the delivery of services and we need to recognise that, we need to celebrate that fact and the contribution that people make, whether it is running in a marathon, whether it is quietly and anonymously supporting a particular organisation, they should all be recognised and thanked by this Assembly. I am pleased that Deputy Le Claire raised the issue of how our teachers engage with parents and the wider community. Again, I think we should acknowledge the strong educational service that is provided and supported by our dedicated teachers who, in many respects, go way beyond that required of them. **[Approbation]** We should recognise the parents and the other individuals who, again, voluntarily give up their time to sit on governing bodies, sort out and arrange parent teacher associations, who raise money to provide additional support for the educational needs of our young people. Let us not forget that it does not stop with a budget simply provided to my department. I suppose equally we should recognise the media for their involvement, for the way that they come forward and promote the various activities and organisations that participate in delivering some of the events that we provide both to our children and to the Islanders as a whole. I would like to come on to a comment made by Senator Shenton regarding and questioning our education system. This is a system that has developed over time and it is current policy. He knows full well that we have just recently agreed and support the review of that system. He suggested I choose not to publish results. I do publish results. I publish the results

of all our Island students reflecting the contribution that all our Island schools make to educating our young people. This is not aimed to be selective. As I have said before, league tables are divisive and they have been recognised as such by many, many governments. Indeed it is not the U.K. that publishes league tables. It is the media and the media alone that choose to highlight that particular area. The reasons why league tables are divisive is that they do not compare like with like. They cannot compare like with like. It would put undue pressure on to our schools and lead to serious side effects such as in England, and this is where they are still running the league tables, there is a sharp increase in exclusions as there has been less incentive for schools to work with disaffected pupils, a narrow focus on teaching which means they teach to test rather than teach the broader educational objectives that we seek to provide for our young people and they increase competitiveness between schools at the expense of collaboration. If that is what the Senator is seeking to achieve, then I do not want any part of it. What I want to do is I want to celebrate the achievements of our young people, I want to celebrate the achievements of our schools, I want to ensure that the education system we provide is cost effective but, more importantly, it properly meets the needs of our young people. I think I have said enough. **[Laughter]**

Senator B.E. Shenton:

Can I just ask the Minister why his success criteria is based on A level and G.C.S.E. results then?

The Deputy of St. Ouen:

That is, as I said before, to celebrate the achievements of all our Island's children.

Deputy S. Pitman of St. Helier:

Point of clarification, the Bridge is funded by charities. That is not the work of the Government.

The Deputy of St. Ouen:

Absolutely. I thought I had highlighted that point.

1.17 Deputy S. Power of St. Brelade:

I reread the Business Plan with some interest and one line in the Economic Development Department's summary of key objectives on page 14, if Members would like to go to page 14 and look at Objective 1(ix), Objective 1 is to provide a platform for, among other things, sustainable long-term economic growth and in (ix) it says: "In conjunction with the Population Office Regulation of Undertakings Law applied" and my concern is that as a relatively new Assistant Minister in the Housing Department should an officer of the States that is involved in economic growth or economic long-term growth have access to the Population Office and is the Population Office in the right department? I would like to expand on that a little and perhaps ask the Chief Minister to comment when he does his response. The comments I am about to make do not refer to the present Minister for Housing or the present Assistant Minister for Housing. It refers to the role of the Minister for Housing and obviously the role of the Assistant Minister. I might just take 2 minutes to remind the Assembly what the Minister for Housing does. He does a lot. **[Laughter]** Let me back up and start again. **[Laughter]** The Minister for Housing in terms of his role with responsibility for the Housing Department does, among this, the following: he manages the stock of housing with the officers, 4,612 at the last count, £980 million being its net worth. He makes a lot of decisions, he makes Ministerial decisions, he deals with an awful lot of appeals and he deals with an awful lot of situations of last resort such as dealing with those that would not normally be housed by anyone else. But the Minister for Housing then has another role in the Chief Minister's Office and that is he sits on the Migration and Advisory Group which is population officers managed by the Chief Minister's Department. He makes a lot of decisions to do with (j)s, with (k)s, but more interestingly, the Population and Migration Office that reports to the Chief Minister is also responsible for Lodging House Law and all the lodging houses and bedsits on the Island. Yet it is the Minister for Housing that has to implement that policy and that is part of his role, even though part of it is parked in the Chief Minister's Office. Finally he has another hat which is in the

Economic Development Department where he deals with the Regulation of Undertakings Law and all the applications that come in on a fortnightly and monthly basis. The Minister for Housing does a lot of work cutting across 3 departments and I, therefore, suggest to the Assembly and ask the Chief Minister for comment whether there needs to be a fundamental restructuring, both for the responsibilities of the Chief Minister and the responsibilities of the Minister for Housing. I put it to Members that there is now a case that the role of the Minister for Housing should perhaps be considered in line with a role which would give that Minister responsibility for housing, population and migration and that the population and migration function of the Chief Minister should become part of an expanded Housing Ministry role. I make these comments because there is a fundamental review going on on the future of the Housing Department. I do not want to deal with that in any way, shape or form today but, irrespective of the final shape of the Housing Department and the stock of housing that is owned by the taxpayer and the trusts and the private sector, I do believe that a Minister for Housing, Migration and Population will give more independence to the role of population and migration. Many comments have been made in this Assembly over the years about the difficulties that the Housing Department has operated under, but I have to say a lot of the decisions that have hampered the progress and indeed the ability of the Housing Department to deal with its own in-house problems have been decided by these States, by this Assembly. In 1992, for example, rent abatement was brought in. It came in at £1.7 million and it is now at £23 million under income support. There are other problems. Our own social rented housing stock has not been able to be maintained because an awful lot of our income has had to go back to central funds and in the last 2 years we have brought in an over-55s policy, we have brought in a shared equity scheme, we have brought in a homebuyers scheme and that all has to sit within the Housing Department and the Minister for Housing. I say, there is a fundamental review to be carried out, not only of the Housing Department and its future role, but I also think that a fundamental review needs to be taken of the interaction between the Minister for Housing and the Chief Minister. I remind Members that should any department of the States that is involved directly or indirectly in being an economic driver on the Island be involved in population and migration? I say the answer is no. Irrespective of what this House decides to do in the short term with this Business Plan, there are some major fundamental decision to be made and I think this is one of them. I ask the Chief Minister whether, when he does respond, he would be minded to support, for instance, a report and proposition to debate this so that the Assembly could make a decision on this. Thank you indeed.

1.18 Senator P.F.C. Ozouf:

Most of us, I think, in this Assembly do not have the time to write books about how we failed. **[Laughter]** Most of us in politics focus on how we should build, whatever our political hue, on how we should try and build a prosperous, viable, socially-just and fair future for the Island. Politics, I think, is about the future and that is what this plan is, I hope, about. There have been a number of questions on the financial aspects of the plan and I propose to cover those mainly in the remarks on part (b). I think the Deputy of St. Mary and a couple of others have mentioned the need, in terms of Treasury objectives, to review a fiscal strategy. As Members would expect, the world has changed and a review of the fiscal strategy is underway. I heard last night on the media my Guernsey counterpart make comments about changes perhaps in the G20 that will come out in the next few days, and I will be working strongly with my Guernsey counterpart and the Council of Ministers in Guernsey in order to get a unified, I hope, point for the Channel Islands. The Deputy of St. Mary, I think, just raised one other point about procurement and particularly about ethical procurement. I acknowledge that is not something specifically dealt with in the objectives. I know that he feels very strongly about it. I would say to him that Jersey has signed up and the States has signed up to being a member of fair trade which has all sorts of ethical purchasing standards and I am happy to, with the procurement department, perhaps meet with him to see if there are any further arrangements that could be made.

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

When I walked in this morning I did not realise that we would have the opportunity at this stage in the Business Plan to talk about the underlying principles, but apparently we have. In approving the summary set out in Part 3 table A, we are in a debate about the principles that underlie the approach being taken by the Council of Ministers. It seems to me fairly obvious that the principles are those, (1) of small governments which interferes as little as possible in people's lives, and (2) *laissez faire* economics which mean the free market rules. In particular, it is about certain sacred cows. Here we are, as I mentioned yesterday, discussing how much money this Government wishes to spend. To spend in what aim? In times of recession, in protecting its residents from the worst impacts of that recession, for this is only a one year Business Plan, as well as it is able and the consequences that the principles underlying this Business Plan have direct and immediate impact. So, what are we talking about here in this Business Plan? We are talking about, by and large, spending cuts. As I pointed out yesterday we will talk about how we afford the spending we decide today in the budget when we decided how much and how we are going to raise the money we need in order to best protect our residents. The principle here is that what we are talking about is attempt to spend less and to spend less of what? The tax take that we use in order to govern the Island. In order to assess that what we need to do at this stage, I think, is what we did on the Strategic Plan because this is just putting the Strategic Plan into some semi-concrete form, examine how much we are taxing and, lo and behold, on page 69 of the Annual Performance Report 2008 which arrived in my pigeonhole at some stage, I think, in the last 5 weeks, we look at the table on page 69, general government expenditure as a percentage of G.N.I. (Gross National Income), and the figures here date from 2006, but they could equally apply to 2009 or 2001, and the table varies from 58 per cent of G.N.I. spent by government at one extreme to approximately 26 per cent of G.N.I. at the other. The O.E.C.D. average sets there around 43 per cent. The top of the table with 58 per cent of G.N.I. spent governing the country, assisting its residents, helping them through in these times of recession, is Hungary. That is the 58 per cent mark. The bottom of the table as presented by our own Statistics Department with 26 per cent is Jersey. Let us put the context of this Business Plan in perspective. Of all the civilised nations in the western world, some of whom are more or less civilised, where does Jersey find itself in terms of government spending particularly in its social needs? It finds itself bottom of the table. Now, some people might look at that and think to end up as bottom of a table in comparison of anything is either very, very good or extremely bad. This Council of Ministers says that is extremely good. That is where we want to be. That is how we have survived and steered our way through the past, perhaps, 50 years being a low tax and a low spend economy. Many people might look at that and think that is a very one sided approach. Surely there is a better balance to be found. That may be a way through, low tax, low spend, however, to be at the extreme of that margin is worrying, especially in times of recession when people need help. The question must be asked, how close are we to the end of this particular regime with a single-minded focus on low tax which results in a sacred cow. It seems to have been written in stone in Jersey society that the tax rate will be fixed for all at 20 per cent full stop. Immovable fact. Do not think about changing it. When we come later on in the year, having set our spending limits, to consider how we will pay for that, once again it will be fixed. The assumption will be that the fact that goes into the equation of how we work this out is 20 per cent tax rate for all and no more. In the meantime we examine some of the markers of how well we are doing to decide if we are on the right route and I will just pick one, for example. In protecting members of society, strategic objective or aim 3.8: "A good standard of affordable accommodation for all" and the Assistant Minister for Housing has just spoken about how much the Minister of Housing does and his responsibilities, but that is a basic one, a good standard of affordable accommodation for all. Presented are 3 years, 2006 to 2008, and how is the trend? Are we doing well? Have we improved things in the last 3 years? Have we improved anything in the last 10 years? Perhaps not. Number of priority applicants on the waiting list for social housing, how essential can you get, affordable social housing for all, gone up from 122 to 167 over that 3-year period. Is that progress? Is that improvement? No, it is not. Are we on the right path? The number of days on general waiting list, again a significant and measurable marker, gone up over the

3-year period from 130 to 162 and that is just one marker which, quite rightly for once, is not marked green, it is okay, but orange, we may have a problem here. Yet, we persist with the underlying free market and low tax philosophy that we are talking about and we have been talking about for the last 50 years. Despite some considerable argument in the Strategic Plan we included a statement that we ought, in many ways, be working towards a more equal society. We did not accept a statement that that should be one of our overarching aims to be working towards a more equal society but nonetheless we did pay some service to that aim which government should have, and all governments have, of working towards a more equal society because we know that promotes a more peaceful and harmonious economy and makes the quality of life better for all. How might we do that? We might look at our tax structure, single 20 per cent rate for all. We might examine some mechanism by which we might get progressive taxation involved where the wealthy pay a little more. No sign of that in this Business Plan. It is the same as before. We might look at our tax structure and introduce some more progressive measures. What we did do? What have we done? We have introduced a regressive tax which hurts the poorest most. We introduced G.S.T. (Goods and Services Tax) and in this Business Plan we have no indications about where that rate may be going, but we all know in our heart of hearts which way it is going to go and it certainly is not going to come down. Despite adopting that particular comforting phrase in the Strategic Plan, in terms of seeing it in the Business Plan, in terms of taxation, *nada*, nothing, not even a token gesture. In the meantime, what we are asked to approve is these sums totalling £619 million or £719 million which have been achieved and I quote from the particular bit of the Business Plan we are adopting now: “Based on a public sector pay freeze for the period from 1st June 2009 to 31st May 2010.” In terms of creating a more equal society, we have instituted a pay freeze despite the fact that our health service is struggling to cope with the demand on it because it cannot recruit and cannot retain nursing staff. Competition from other jurisdictions means that it is far more attractive to go there. But this Government, this Council of Ministers, keeps its eye on a single objective which is economic growth and I heard the Minister for Economic Development earlier this morning say that the Government’s role is to remove barriers to businesses. What a shallow and short-sighted view, if that is the case, we are endorsing, if we do endorse this Business Plan later on. He then went on to talk about how much he is doing to increase diversity in the economy and that was the way forward. He denied absolutely, despite some questioning from other Members in the House, that he was reducing assistance to create or promote or maintain diversity by reducing grants to the agricultural sector and the tourism sectors and instead diverting them into something which is an abstract noun called enterprise. This despite the evidence that he and his predecessor have known for many, many years that the advice they obtained from Oxera, the main economic advisers to the Island, was that if you wish to grow the finance sector then inevitably as night follows day, you will reduce the lower paid and lower return profitable sectors of your society like tourism and agriculture as a matter of course. You cannot grow all sectors of the economy. The finance sector is the dominant, the cuckoo in the nest, alongside of which other industries find it extremely difficult to compete and, even on a level playing field, even with some assistance, you will not grow other sectors while you grow the finance sector. That view predominates. My question must be is it not time for a major review of the entire approach we take to our society particularly in these times, in these days? What is the role of the Government? I believe the Government has a much bigger role than this particular Council of Ministers envisages and in particular we must, we must, as a matter of urgency examine our tax policies overall because the era of low tax, low spend and we can get away with it, has finished. It has finished. Not is about to finish, it is finished and we need to adapt to that and start thinking properly. One small example of it again - and we will come back to this before the end of the year because I will make sure we do - is to examine the role, for example, of supplementation. In the whole mish-mash of what we do about our ageing society, how do we best protect people, pensions and benefits, *et cetera*, the concept of supplementation year on year has grown and grown and grown. We are now touching £70 million of taxpayers’ money that automatically go into the supplementation fund to top up social security. With all the demands that we have heard about, old society increasing as we come

into the coming years, we must, we must, as a matter of urgency, address the issue of supplementation, address the issue of social security and how we afford that society. Whether this Government, this Council of Ministers, this Chief Minister, this Finance Minister, in particular, think that that is a horrific prospect they will be letting down this Island if they do not review, reassess the whole approach including supplementation and social security. How do we afford the society we have? There is absolutely no evidence in this Business Plan that those considerations, those important considerations, are even under consideration, even on the people's desk. Everything is being put off. We can survive with this. We cannot. A radical new approach must be adopted. There is no evidence that in this Business Plan we are doing so and certainly in this sector with the attack that has come to our public sector by the arbitrary and unilateral denial of their collective bargain rights and implementation of a wage freeze, I certainly will not be supporting and must vote against this particular section.

1.20 Deputy I.J. Gorst of St. Clement:

I am pleased to follow the last speaker, despite him leaving the room, because he made some interesting points which I would like to address. Unfortunately, some of them with regard to long-term planning and my department were, in my opinion, inaccurate to say the least. Perhaps I would start by addressing some comments made earlier in this debate by Senator Breckon. Members might have forgotten the points that he made at this stage of the morning, but I will endeavour to address them anyway. A number of speakers have spoken at length about long-term planning and to a certain extent, I think they were right. We have not, to my belief, in this Assembly always been good at planning for the long term. Politics is notorious for viewing things in the very short term. Unfortunately for us we have a relatively short electoral cycle which means that we tend to view things in the one or 2-year cycles because we are told that in the third year everyone is preparing for an election and no real work, no long-term decision, can be taken. We have suffered, I believe, as a community because of that. I, and my Assistant Minister - and I think it is quite clear from our departmental Business Plan - intend to put that short-termism behind us and plan and make decisions for the long-term good of our community. Senator Breckon majored upon a long-term care strategy, a social insurance scheme for long-term care and Senator Syvret mentioned that this had been on the starting blocks, perhaps it has not even quite got to the starting blocks, for a number of years and they are absolutely right, it has. Our sister island has had a scheme ... provided a long-term social insurance scheme for a number of years and I would dare to suggest that perhaps it is to our shame that we have not. Scrutiny, during the course of the last Assembly term, did produce a very interesting and thorough document on this subject. I, in the past, and I know others have commended them for that. They did request that a Green Paper was produced by June of this year. Members will be aware that unfortunately I have not been able to meet that timescale for a number of reasons, most of which I believe that this Assembly agreed that we brought forward other pieces of work in priority to that, that being redundancy legislation, that being insolvency legislation, that being a temporary insolvency scheme. All these things which were vital and needed to be brought forward. We have also been busy in responding to the Scrutiny Report which we have now done and we will shortly be publishing a White Paper on the permanent insolvency scheme. But I must say that will also very shortly be publishing the Green Paper on the funding of long-term care. Members have been invited to a presentation by the Government Actuary to present their review of the social security funds and this will be the start of what I believe will be a number of months throughout the course of the remainder of this year, and next year where I and the Council of Ministers will be inviting Members and our community to consider just these very long-term issues that Members have been discussing this morning. These long-term issues are the state of the Social Security Fund, what we are going to do about the ageing population, about the demographic change, and how we will make that fund sustainable for the medium and long term. We are all aware of the decisions taken by the now Chief Minister to make it sustainable in the shorter and medium term. We are now in that medium term and we must reconsider where we wish to be with that particular fund. Be in no doubt, and this is where to some

extent Deputy Southern was, in my opinion, somewhat off beam, there will be costs associated with these proposals that I will be bringing forward, costs for long-term care, costs for securing the Social Security Fund in the long term and also costs associated with reorganisation of supplementation. Deputy Southern said this Council of Ministers is not prepared to take difficult decisions when it comes to taxing or taking more money out of people's pockets. Well, I would refute that claim because if you read my Business Plan, a number of the things that I am proposing, although next year we will mostly be in the consultation and law drafting stage, they will have cost implications to them and we, not only as a department but I believe as a Council of Ministers, are prepared and are raising those issues in the public arena, and we will be doing that through 2010. I have to say it is only appropriate and only fair that we present the facts to the public in an open and transparent way and do not come and say we have got a particular scheme and it might cost us 2 per cent on contributions, and then 6 months later come back and say: "Well, we have also got another issue that is going to cost us another amount on contributions" or in whichever way this Assembly decides or the community decides it wants to fund these particular measures. We must not jump to a conclusion because that is what consultation is all about but I use that as an example. It is only fair that we are open and honest and we do start during 2010 a discussion about how we are going to fund these services and, yes, to a certain extent Senator Syvret was right, how are we going to fund the required growth in health as well but we will, no doubt, be coming on to that with some of the amendments that we have before us. Deputy Southern and Members sometimes suggest that there might be a magic solution to eliminate supplementation from the States revenue expenditure. Let us remember that supplementation is the taxpayer, so that is, on the whole, taxes related to income ... the taxpayer supplementing those within our community who have a low income, it is supplementing their contributions towards their future pension. Sometimes it is very easy for us to forget exactly what that is. We are saying by doing that that those individuals with a low income should have an appropriate level of pension in future life and we are prepared to put taxpayers' money into doing that. It is a very difficult word for me perhaps to use as an accountant but it is, in fact, redistribution from the taxpayer to the contributor and those who perhaps cannot contribute in the way that would make their pension sustainable in the longer term. I am pleased that this debate is made to some extent on long-term planning because that is exactly what myself, my Assistant Minister and I know that the Council of Ministers themselves, and I am so sorry I should not miss the former Minister as well, set in train this approach, this plan of planning for the medium and long term. I hope Deputy Southern might change his mind and might find that he is in actual fact able to support this Business Plan if simply to support the long-term planning that I am proposing at Social Security.

Deputy G.P. Southern:

Could I ask a question of the Minister? Could I ask whether Members will have access to the Actuary's report before we come to a meeting so that we are informed before the meeting and can ask rational and relevant questions appropriately?

Deputy I.J. Gorst:

I am delighted to answer that question. I am not sure whether the Deputy himself has replied yet to the invitation, but we will be giving a chasing invitation and I would say this is not going to be me lecturing States Members because I have other opportunities for doing that. This is going to be the Government Actuary - the Actuary himself - coming forward and presenting his findings and answering Members' questions and, therefore, it is only appropriate and only right that that document will be available embargoed to Members and to the media in advance of that presentation. I am not certain how many days but I will be trying to get it to them before the weekend of the presentation, which is at the end of this week just thinking about it but it will be in advance.

1.21 Deputy J.A.N. Le Fondré of St. Lawrence:

I thought it probably was appropriate for me to stand up and to say I have a few words in relation to some of the queries that were raised on property matters. Deputy Le Claire, steps and steeples: St. James' as he and I are definitely aware, and as Members may be aware, has been a bit of an ongoing saga and, unfortunately, I still do not have a solution for the issue on the steeples. The conditions as he has alluded to are unaffordable completely and it is costing us money to protect the public and that is the dilemma we have. To an extent that decision is completely out of my hands because I am as equally frustrated as he probably is and other Members may well be as well. The external steps I thought we had had a solution but evidently not. The external steps of St. James' have been treated with a non-slip surface and this, I believe and have now tracked down the response, was done as far back as May. However, the trip hazard remains a risk but it appears that what happens is the present users manage the risk which is completely acceptable as one way of dealing with these types of things, by having someone present when they are opening the door to the public to say: "Mind the step" and that is it. That is a cheap solution; you have got somebody at the door anyway and that is what they do and the trouble is that that may not have been done when it was being used as a polling station during the elections because it was a different user using that building at the time. That is my understanding. Now, what ...

Deputy P.V.F. Le Claire:

Could I ask the speaker to give way for a second and ask him ... I mean I do not know how often he stands to speak in the States to defend the indefensible [**Laughter**] but on this occasion he certainly is. Does he not appreciate that removing the top tile and cementing over the step [**Interruption**] would eliminate the ... which would be far cheaper than employing somebody to stand there all day long to say: "Watch your step" and on the way out: "Watch your step"?

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

If the Deputy would give way? I was going to ask if the advice given varied on who the candidate was as they entered? [**Laughter**]

Deputy J.A.N. Le Fondré:

I would have to refer that last query to the users of the polling station on the day. In relation to Deputy Le Claire, he got ahead of me because my next words were going to be that apparently removal of that step, the removal of the tiles or something, is more tricky than he or I believed. The solution is for him and I, and I offered to meet down there... but what I have been told and I can show him the email because it came through this morning is that it is more structural because it is to do with levels and, of course, we are into an S.S.I. (Site of Special Interest) and, anyway, it gets complicated but we will meet down there ...

Deputy P.V.F. Le Claire:

Is it supporting the scaffolding?

Deputy J.A.N. Le Fondré:

The step is not. So we are getting there but there are some problems and it is one of the dilemmas we have when we are dealing with listed buildings. What I would like to do is obviously address some of the comments by Deputy De Sousa, and hopefully I understood them correctly, because it is essentially saying that she hoped that Property Holdings' main objective was about ensuring we get best value, respecting covenants, ensuring there was no requirement by the departments before we dispose of properties effectively, and I agree entirely. What we are, if you like - or equally what we are if you like - is one of the checks and balances in the system and, yes, we can often challenge what other departments do and I have to say sometimes I think we are regarded as maybe we challenge too often, but that is what we are about. This is probably the first real time in the last year that property has even come close to being properly appreciated and managed but we are not there yet, and particularly managed with oversight. Just to give a hint of the type of problems we have and we will no doubt touch on it later on in the week, when departments transfer budgets to us

it became readily apparent that some transferred to us were woefully inadequate. Now, one does not say if it was deliberate or not but I suspect that the reason was, is because maintenance was always considered in department budgets to be effectively discretionary. It was not subject to outside scrutiny by another department. It became the poor relation so it was cut and moved and utilised elsewhere as circumstances required and, in fact, I have even been told that in some instances it was used to fund salaries. Hence, where we are now is we as the public have a problem. Now what I will also say - and it is relevant to later debates and to an extent some of the issues that have been touched up - there is a wide spread reluctance I would say still to regard property as cash and I can apply that to anybody within this Assembly potentially and also within the wider States of Jersey. If we give it away it is writing a cheque effectively. If I give someone land worth a million quid I have given them a cheque for £1 million effectively. Now there may be very sound reasons for doing that; it may be part of the wider interest of the public because we want to facilitate something, but it is not a free gift and it represents value and that is also one of the things where the department gets involved is to generate value on the schemes so part of our function is to evaluate schemes from other departments and to assist in improving the value that is returned to the public. Just to then tax people's minds further, if we cannot fund a property then to an extent it is a liability because it is falling down, it is deteriorating, the value is falling. That is the balance we are trying to make, that we are aimed at in the wider interest but those are the contradictions we are trying to manage all of the time. One of the ways of mitigating the problem in terms of not having sufficient funding to cover the maintenance is to sell off surplus buildings that are no longer fit for requirements. That raises some money and that funds some of the capital programme but equally that removes some of the ongoing maintenance problem and I, no doubt, will be talking about this in more detail, in particular to certain amendments but it is a long-term process. In respect of Library Place, I think we deal with that when we get to that debate but to touch on covenants with both Deputy De Sousa and Deputy Tadier raised in general terms, we do always look at those in detail; one has to. If a covenant needs to be lifted, in my experience it has to come back to the States. That is what I have experienced thus far in my time here. I will get confirmation on this but to date that is what has always happened. Depending on circumstances and where it is possible in the past we have tracked down the descendents, if they are alive, of people who gifted land to the States to discuss what we are trying to do. It depends on the circumstances, it depends if it is practical and it depends what you are looking at, but I will cite Howard Davis Farm on that basis where I think after a long process I hope we achieved in a good way what we were all trying to do in respect of the dairy sector up there. Those issues still carry on. What I will say is that obviously covenants can be lifted but equally they can be transferred with a building or a plot of land so, for example, if you have a field and you want to put a no building clause on it you can put it there and that can carry on, so there are ways of dealing with these things. It does not necessary prevent a property being sold. Now there is always an issue as to the level of work one does when initially wanting to sell something. Do we do all the work, dot all the i's, cross all the t's and come to the States saying, yes, we know absolutely everything about the property and Members turn around and say, no, we do not want you to sell it? Or do we do a preliminary check, get a steer effectively from Members who say, yes, we are happy in principle for you to sell and then get the detail and then ultimately provided this is still feasible get the final Ministerial approval? Ministerial approvals depending on the circumstances can either directly be challenged by Members or sometimes are informally challenged by Members and if issues arise we are open to them and obviously any Ministerial decision not only can be challenged by Members as far as I am concerned but are reviewed by P.A.C. (Public Accounts Committee), by the Comptroller and Auditor General and by Scrutiny. I have to say I would rather get the initial steer up front rather than wasting hours of officers' time in finalising them in detail. That takes me back to where I started: property can be an asset, it represents cash but it can also be a liability. Most importantly, it is governed by law and by the courts. It requires research into title, boundaries, and covenants and that takes time and money and I hope that helps for the moment to answer some of the points that have been raised.

1.22 Deputy S. Pitman:

I know some of what I have to say has already been repeated but most of what I have got to say is questions. Firstly, I would like to respond to the Minister for Social Security when he talks of the department being open or the States being open and honest with people. In relation to income support this department certainly were not. If Social Security had done their job in consultation and meeting the needs of vulnerable people, certainly I and Deputy Southern and I know other Members would not have so much constituent work because this is the subject that takes up most of my time with constituents. The questions I have, firstly, are for the Minister for Economic Development and, unfortunately, he is not in the Chamber. I will have to write them out for him. A lot has been spoken about sustainable economy/diverse economy within his Business Plan and I would like to know what the Minister's definition is on these 2 words. Secondly as we know - tourism - we have a proposed cut of £506,000 and an agricultural cut of £172,000. The Economic Affairs Scrutiny Panel has spoken to leaders and professionals in the industry over the last year and we understand that these people are not happy with the lack of consultation from the department on the cuts and the lack of investment. I wonder, firstly, does the Minister know what those sectors think of the cuts and lack of investment and will he sit down like the panel has asked in our comments with representations of these industries and talk to them about what they think and boost these economies? Another question, much has been spoken about supporting small businesses, and again the Scrutiny Panel has spoken to small business representatives over the last year and we understand that again the lack of consultation and communication from the department ... the Minister has spoken of the communication and the help that he and his department are giving these businesses. What I would like to know, because I understand that to be business start-ups, what work is being undertaken to help maintain these small businesses which take up 25 per cent of our economy? The last question for the Minister, we have the ... well, it has been for years now and we continue our plan to grow and grow and grow population, to grow and grow and grow the economy. I would like the Minister to answer: is this conducive to one of the Council of Ministers' priorities in their Business Plan, which is to maintain a strong, environmentally sustainable and diverse economy? A question for the Chief Minister: we have imposed a pay freeze on 6,500 States workers, which is effectively 6,500 families in Jersey. I understand there is a proportion in there who are on high wages, but I would like him to explain how he sees this with also the States policies which are encouraging dependency on state benefits. If we have more dependency, as we have heard from Deputy Southern, how are these factors conducive to growing the economy? Lastly, I have a question for the Minister for Housing with regard to our policy on population growth and planning for the future. We are now in a position where we have to sell off houses because we have got into a terrible mess with the maintenance and run up a bill of over £100 million. I would like to know what his plans are to meet the future population growth and also I would like to know the number of people who are currently on the waiting list.

Deputy P.V.F. Le Claire:

Before I propose the adjournment, could I make a small point? It does seem a little dysfunctional the way that we are proceeding today, unlike previous years, when Ministers are not, it seems, being able to be held to account for their portfolios. We have had several speakers who have already spoken that are Ministers but now I believe would not be able to respond to certain questions that are being put by Back-Benchers. I wonder if maybe P.P.C. (Privileges and Procedures Committee) could consider this with the Chief Minister in future, please.

The Bailiff:

You are quite right. This is a proposition of the Chief Minister. Now, does any other Member wish to speak?

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

The luncheon adjournment is proposed, so we will reconvene at 2.15 p.m.

LUNCHEON ADJOURNMENT

The Bailiff:

Before we reconvene, perhaps I can just inform Members of 3 matters which have been lodged. First of all, the second amendment to the Wheel Clamping: Introduction of Legislation - Projet 119 - lodged by Deputy Tadier; an amendment to the Referendum: Position of the Connétables in the States lodged by the Deputy of St. Martin; and Projet 153 - Social Security Fund: Research into Alternative Funding Mechanisms - lodged by Deputy Southern.

PUBLIC BUSINESS - resumption

The Bailiff:

Does any other Member wish to speak on the objectives? Deputy Le Hérissier.

1.23 Deputy R.G. Le Hérissier:

You will be relieved to hear I am not going to speak on the main thing. I am totally confused, and I have had a word with the relevant counsellor. I am totally confused about where this debate is going. I have had a word with the Deputy of St. Mary and he said I should be grasping the opportunity, but what I was worried about, I thought we were working through all the amendments at, shall we say, a steady pace to give it the most optimistic construction, and we have had a whole variety of speeches on very broad philosophical grounds, some that the end of the world is nigh, others that ... **[Interruption] [Laughter]** ... yes, that it has already ended; others that there is a brave new world in economic development which is taking us to paradise, and various other speeches. I thought, although the Deputy of St. Mary has chastised me and said we should grab any opportunity to do with having a broad-based debate, but I was looking forward to a real battle royal on, for example, the role of the Communications Unit. I had not realised that for some reason the debate was going to ground to a halt at about the one-third point and we were all going to examine our navels in this incredible detail. I would just ask the Minister for Treasury and Resources or the Chief Minister, and as a backup the Chairman of P.P.C., if they could look at the Public Finance Law. I do not know whether people were trying to pull some kind of trick and the Deputy of St. Mary quickly twigged to what was happening and then launched into his very excellent thing, but I never realised everyone else was going to do the same. I wonder if this could be reviewed for the future because it seems very strange that we have had these great philosophical digressions and we have not really come to the end of all the amendments. Presumably, as with previous ... and a lot of it is a repeat of the Strategic Plan debate. Presumably, we then look at the end at all the amendments and say: "Well, has the plan changed direction?" Then we have the big debate, if any of us still have got the will to live, and then put the thing to bed. I cannot understand why we are doing it now.

The Bailiff:

If I may from the Chair, I am not sure that that is right, Deputy. We have paragraph (a) which is the key objectives success criteria. The various other paragraphs, (b), (c), (d), (e) and (f), are all very financially orientated and I think the tradition has always been in the past to vote on each subparagraph as the Assembly goes along. So, paragraph (a) is proposed, amendments to paragraph (a) are considered, then there is a debate on paragraph (a) and then a vote is taken on paragraph (a). Then you move to paragraph (b). So, to the extent that there should be any philosophical discussion, it seems to me it has to be under paragraph (a). Now, whether Members think that is a good use of time is really a matter for Members. The Chair certainly cannot rule it out of order in the sense that paragraph (a) relates to key objectives and success criteria in relation to the plan. Does any other Member wish to speak? Deputy Lewis.

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

I will be brief as usual. The Minister for Transport and Technical Services earlier on alluded to the fact that the Transport and Technical Services Department took a very big hit several years ago, namely in the Parks and Gardens Department. As a St. Saviour Deputy, I consider Howard Davis Park very much my back garden. The Parks and Gardens staff do an excellent job in keeping the parks and gardens up to standard. If Deputy Le Claire spots anything in the park that he considers not up to standard, I would appreciate if he would contact me and not declare in this Assembly that the park is disgraceful which, apart from being factually incorrect, is very demoralising for the staff. The Deputy has suggested that smoking should be banned in the playground area. I accept that is a good idea and will discuss it later with the Minister. Rubbish: it has been said on several occasions, normally on a daily basis, that televisions, videos, DVDs and computers do not enter the Energy from Waste Plant. They are shrink-wrapped on pallets and then shipped to a reputable company recycling in the U.K. The black bag waste is delivered to Bellozanne in the refuse trucks in the usual way, and I have been alongside the lorries as they have emptied and I have not seen anything untoward going in. However, every now and again you will hear the click and chink of bottles as some inconsiderate person has put a bottle in the black bag instead of the recycling bins. I repeat that when the Minister appointed me as his Assistant we agreed that Members would be taken to see any T.T.S. plant they wish. Most of the new Members have taken me up, but the offer is still open.

The Bailiff:

Does any other Member wish to speak? Very well, I call upon the Chief Minister to reply.

1.25 Senator T.A. Le Sueur:

I think, contrary to my normal habits, I will have to respond in the order in which Members have spoken, although as before there are a number of themes which I would like to refer to maybe at the end. The Deputy of St. Mary set the scene for discussions on these objectives, and I believe that he did come up with a variety of sensible and focused comments on those objectives, not all of which I agree with but I think they were worth making. He spoke, for example, about the need to include N.G.O.s and suggesting that maybe in terms of some areas we have not done as well as he would like. I think that is subjective judgment because I know he was talking there primarily about the Energy from Waste Plant. As far as risk analysis is concerned, risk analysis is I think an issue raised by a number of Members, and he was one of the first. I accept that it may not have been detailed as a success criteria nor even an objective in individual departmental plans. I think that is probably because matters like risk analysis are a normal part of everyday departmental management and perhaps, rightly or wrongly, we have taken it for granted and not highlighted that fact. Whether the international finance industry should be with my department or the Minister for Economic Development's department is a matter of judgment. My judgment is that in view of the increasing international significance and element of the financial services industry, it is appropriate that my department and I as Chief Minister take a lead in that, although I will continue to work closely, as we have done in the past, with the Minister for Economic Development and the Minister for Treasury and Resources in ensuring that that is brought forward. He along with a number of Members has highlighted an apparent discrepancy between economic growth and potential reductions in direct grants to tourism and agriculture. I think that the Minister for Economic Development has explained quite clearly that that is simply a better use of resources. It still delivers objectives to industries including tourism and agriculture but in a more focused way. The Deputy had some good words to say about health in terms of spending now to save later. That is always a great philosophy and it is so far almost impossible to measure. I am sure, for example, that the tobacco strategy which has been promoted by Deputy Le Claire and others over the years has resulted in significant savings to health. We do not see that in a reduction in the health service budget. It may be that we see less of an increase than we otherwise would have seen, but how does one measure that? Procurement: I think we have taken significant steps in improving procurement

matters, but as the Minister for Treasury and Resources has responded to that in terms of fair trade I am not going to pursue that one. Equally, other comments have been picked up by other Members. The States website is under development and I would like to repeat my praise, in fact, that that is being done by a consortium of local companies. To people like the Deputy of St. John that jump in there, yes, wherever possible we will use local companies but we also have to be realistic and there are some matters of a more specialised nature which would inevitably have to be done outside the Island. I think the Deputy of St. Mary is concerned, as I am too, about the ongoing financial pressures and the fact that maybe we should have raised taxes some time ago. That is his opinion. My opinion - I think shared by the public - is that we need to make sure that our own spending is in order before we simply go on increasing taxes. That was a message which I put forward when I was Minister for Treasury and Resources and I think it is important to maintain now. The public do not like additional taxes if they think we are wasting their money, and until we can convince them that we are spending our money wisely then I think we raise taxes at our peril. Consultation with the third sector and with the Parishes, yes, very important, and certainly if it was an omission in this Business Plan it was not an intentional omission. Maybe it needs to be highlighted more; I think it is there. But we all do need to work together. I think perhaps I will now digress to a more general comment because I think that some of the things that the Deputy of St. Mary has referred to and some of the things which other Members referred to - I think probably particularly Deputy Southern in this respect - were really more appropriately addressed in the context of a strategic plan. They are issues of a longer term nature. They are issues of a philosophical nature, if you like. This Business Plan, as the preamble to Part A makes quite clear, is to receive the draft Annual Business Plan for 2010 and to approve the summary key objectives and success criteria for 2010. It is by its nature a short-term plan in that respect. Now, it may well be that that is not the right sort of business plan to bring before the States, but what I am required to do as Chief Minister is to bring forward a Business Plan for the coming year, and that is what this is. Senator Breckon went on to talk about monitoring progress and things like *New Directions*, has that lost its way, have other things lost their way.? I think perhaps *New Directions* has lost its way to some extent and maybe needs rebranding with a different name. I think the whole title now has a risk of negating some of the many important and still worthwhile objectives that were contained within that document. He along with others stresses the need for public consultation. I will go on to talk about public consultation in more detail no doubt when we come to discuss the Communications Unit, but I would stress that the need for proper and structured public consultation is important and I think that is one of the key things which in recent years we have tried to do, and that is to engage with the public far more. I do not think we have succeeded well enough yet, but I think we are trying to make steps in that direction. I think things like bringing White Papers and more use of consultation meetings and so on will over a period of time improve that link with the public which he and other Members referred to. I think most of Deputy De Sousa's comments have been addressed either by the Assistant Minister responsible for property or other people. Deputy Le Claire spoke about a variety of matters, but again I think stressed this perhaps apparent lack of communication between the public and States Members and between States Members and Ministers and between States Members and departments. I would like to think that every Minister responds promptly and in an informed way when they are asked questions, and I would hope that departments would do just the same thing. Maybe we need to have more performance records in that respect, but I think we can go on trying to measure these things *ad infinitum* when really what we need to do is have the objective of delivering and getting on with delivering it, not measuring it.

Deputy P.V.F. Le Claire:

If I could ask the speaker to give way, I think I am being misinterpreted slightly. In my presentation that I made, I was trying to emphasise the disengagement that was felt by the public and Back-Bench Members and the futility that they felt because of the fact that Ministers in the States did not necessarily take on board their views; not that they did not have communications facilities.

Senator T.A. Le Sueur:

I do not think I misunderstood. I think what I was trying to say is that we do endeavour to achieve better communications. It is a 2-way process and there is always room for improvement in that and in others. His call for banning smoking in parks has been taken up by other people. It is interesting the debate we have between the need for more legislation and the need for less regulation. That is an ongoing battle, but that is a debate which realistically should be had in the context of strategic planning, not in the context so much of a one-year Business Plan debate. Whether one wants to build a marina at Havre des Pas along the lines of the full Carter scheme, I think if you talk about public consultation in that respect the public view is definitely in the negative, but there again times do change. I do appreciate his willingness to participate wherever possible in activities such as the smoking in the park and other things, and I welcome that commitment. Deputy Vallois raised an interesting point about performance reviews and the detail or lack of detail within that document. That document was produced in response to the previous strategic plan as an indication of progress and performance. It was not, I think, meant to be an encyclopaedia, but I think if any department wants to scrutinise any particular areas of any particular shortcomings, then they have to look behind the bare details in that booklet and take it up with the Minister concerned. The information is there but I think the booklet itself is already thicker than I would like. It is rather long and not always quite so interesting reading and I think there are better ways of delivering that. She talks about leadership of the public service and I think that needs to be read in conjunction with the actual objective of the Chief Minister's Department, which is that the department should act as the leader and co-ordinator of other departments. So I think the objectives within that are linked to that key objective. The Deputy of St. John asked who is on the Emergency Planning Board. I am not quite sure how relevant that is to the Business Plan debate, but if he really wants to know it is the Chief Executive, the Emergency Officer, the Harbour Master, the Chief Fire Officer, the Chief Officer of Transport and Technical Services, the Medical Officer of Health, the Chief of Police, the Director of Health and Safety, the Director of the Environment and the Chief Officer of Economic Development. They meet quarterly. They are meeting again tomorrow. They are not paid any more than their existing salaries. The comments about the Fire Service have been picked up by the Minister for Home Affairs. The condition of our roads and the need for a proper programme, I think the Minister for Transport and Technical Services again has dealt with that and, of course, we have got additional monies in the fiscal stimulus which could be used for that purpose. Senator Shenton in terms of education spend, I think that has been dealt with by the Minister for Education, Sport and Culture in terms of benchmarking performance. I am grateful to the Minister for Economic Development for dealing with some of the queries that have been raised thus far and, indeed, the Minister for Transport and Technical Services likewise. Deputy Tadier I think was trying to pre-empt some of the debate on his own proposition in terms of the sell-off of housing, and he will have his chance, I think. I accept the need to have a properly informed debate and if that information that he requests can be sought in advance of the debate that would, I am sure, improve the quality of that debate.

The Deputy of St. John:

Would the Minister give way? The Minister asked what my question on emergency planning was. In fact, it is in the Chief Minister's own report on page 12, if he cares to look under his department's report. The evidence is there.

Senator T.A. Le Sueur:

It may be that the Deputy is referring to page 12 of the annex to the report.

The Deputy of St. John:

Correct.

Senator T.A. Le Sueur:

Well, I am sorry, we are not debating the annex to the report. We are debating pages whatever they are, 3 to 38, of this proposition.

The Deputy of St. John:

Is it not all one?

Senator T.A. Le Sueur:

I think if we were to debate the annex as well we would probably be here until Wednesday of next week. If I have not lost my place now with all of that, which unfortunately I have ... I was referring to Deputy Tadier's comments. He then went on to talk about possible need for windfall taxes, and I think I will talk about taxes and things like that in more general terms later on. He suggests sustainable economic growth is an oxymoron, and I think that is an interesting discussion to have. Certainly, what I would like to see is economic growth within sustainable limits. Now, he may say we are just playing with words. The nuance I would give is that economic growth is all right but there are limitations to it. Clearly, in an Island such as Jersey we have particular constraints which will limit that economic growth. If we can do the economic growth within those constraints, then I think that is the desirable objective. It links with the question of population and migration which has also been raised, but I think it is not impossible certainly to talk about and set an objective of economic growth in a sustainable context. I am grateful to the Constable of St. Mary for dealing with the matter of the States website and the possibility maybe of using electronic means in order to keep Members and the public better informed. Senator Syvret I think really looked back over the past rather than perhaps applying that to how we should look forward in this context of the Business Plan. I do not want to dwell at length on his speech; much of it has been responded to by the Minister for Treasury and Resources. Other parts of it I think are more of a - if I may say so - personal diatribe rather than a focused comment on individual parts of the Business Plan. But I think he, like others, really suggests that maybe we have not taken sufficient note of alternatives. I think the sort of issues that he raises are really issues of a longer term strategic nature. Yes, they do need to be addressed and, yes, they have been addressed and will continue to be addressed. As he says in respect of his own suggestions on taxation policy, he did bring a proposition and one of the merits of this House is that we do have debates on that sort of matter and at the end of the day take a democratic vote. The vote at that time - the Senator may think it is the wrong vote but the vote at that time - was not to pursue his suggestion. The Minister for Health and Social Services then responded to various matters and I am grateful to her for that. She spoke also about pandemic flu. I would like to take this opportunity to praise not just the Minister but her department and particularly the Medical Officer of Health. I think that the way in which Jersey has handled its preparation for pandemic flu is streets ahead of that able to be undertaken in the U.K. or even in France. I think we can take pride in the hard work put in by that health team in ensuring that we maintain the Island in a containment phase for as long as possible but that we are also prepared that if a pandemic or when a pandemic does really hit the Island we are prepared and able to deal with it. Deputy Trevor Pitman: again, this was more strategic, talking about the longer term big picture, focused on people and changing our culture of greed. All worthwhile comments but, as I say, more appropriate perhaps to a strategic plan debate. The Minister for Education, Sport and Culture, the Deputy of St. Ouen, I think dealt with many queries in that respect. Then Deputy Power raised the question of the Migration Advisory Group and the Regulation of Undertakings Law. I have absolute confidence that we have the Migration Advisory Group now working in the best possible way. It is under my department's lead and that is right because the Chief Minister's job is to co-ordinate the sometimes conflicting pressures between Housing and their responsibilities in respect of housing licences and Economic Development in respect of the economic pressures for additional accommodation. So, I think neither of those departments is appropriate to run the Migration Advisory Group and it is correct that the Chief Minister's Department should, in fact, hold the reins between those 2 departments. So would I review the existing arrangements? No, I think at this stage I am satisfied that the arrangements are working very well. When we come later this year or

next year to discuss the migration policy in more detail then I am sure there will be the opportunity for Members to express views at that time. I thank the Minister for Treasury and Resources for his comments and I think advising us - perhaps not in the Business Plan - of a review of fiscal strategy and a review of the spending of the 3 key spending departments of Health, Social Security and Education. I just suggest in the context of a fiscal strategy that if we are going to review it, and picking up a view expressed over several weeks and months in the past, maybe this time Jersey and Guernsey can work together on a common fiscal policy. That would make a lot of sense for both Islands and I would encourage the Minister for Treasury and Resources to pursue with his opposite number in Guernsey the chance, in reviewing that strategy, to review it with a common approach. Deputy Southern raised a number of issues, but he was the first to admit that this was a one-year plan and that many of the things we are talking about perhaps do not accord with his philosophies, indeed with his strategic view. I think in summary what he was trying to do was to have a second attempt to open a strategic plan debate and to try to persuade us that low tax/low spend was not a good idea and that high tax/high spend would be a better idea. He also I think talked about growth and suggested that what this Business Plan was doing was providing cuts. I think the Minister for Treasury and Resources might say: "If only." I would just remind Members that the Business Plan proposals which we will be discussing later on during today and the rest of the week increase our spending by a significant sum. I cannot remember the exact amount; it is on page 54. Yes, spending for next year is proposed at £584.6 million compared with £538.2 million last year, an increase of £46,000, if my mathematics is right. £46 million, sorry; my mathematics is not quite right. **[Laughter]** A significant increase by any standards, one, in fact, I think which the Minister for Treasury and Resources might want to allude to as to whether it would be realistic to afford increases of that magnitude. Certainly, one of the points that Deputy Southern made was about comparing the amount of G.N.I. spent in different places on different services. I think one of the dangers of making comparisons like this is that we start in Jersey with maybe certainly a very high - and commendably high - rate of G.N.I. but perhaps a distorted figure because it is the G.N.I. based very much on a one-industry operation. I think trying to make comparisons of G.N.I. with different countries and then using that as a basis for comparing social spending is a dangerous link to make and I do not intend to make it. I believe that we do need to look after the vulnerable members of our community and that we do spend significant amounts of money looking after the vulnerable members of our community. I think when we look at the way in which we spend the public's money in this plan we will see just how much we do spend on matters of social security, of health and other areas of addressing the vulnerable in particular. Deputy Southern wanted to rehearse the pay freeze argument. That is something which there will be a chance to do in a couple of weeks' time. He also at the end of his speech implied that the era of low tax/low spend has finished. I suspect that we are living in a situation now in the world economy where taxes around the world are likely to be rising, not necessarily income taxes or corporation taxes but the tax rate in general. I say that simply looking at the economic situation and the fact that spending around the world is rising inexorably as well, and in a time of economic stagnation or little economic growth then I see little way of balancing the books other than that. But it should not be an incentive to us to raise taxes more than we have to. It is an incentive to us to make sure that we keep our spending under control. Deputy Gorst I thank for responding to some of the matters to do with social security and long-term planning, the Government Actuary's report and the Green Paper which is being brought forward shortly, I am pleased to hear, in respect of long-term care funding. Supplementation will be addressed but, as he says, it is really a system of redistribution. Deputy Le Fondré I thank for responding to some of the matters regarding property and the need for us to try to look at property in the same way as we look at cash. Deputy Shona Pitman again I suspect ... mentioned things being dealt with before but again looked at more Strategic Plan issues. She made one comment which I would just like to take issue with her on when she said that Social Security was not open and honest in relation to claimants. I think that is a very sweeping allegation to make, not one which ...

Deputy S. Pitman:

It is not a sweeping allegation. I have worked with these people for 4 years now and I am inundated with this work, as Deputy Southern and other Members are, so I know my subject very well.

Senator T.A. Le Sueur:

I appreciate that the Deputy may well have individual claimants with cases of hardship which she does not feel has been dealt with by Social Security in a way which is acceptable to her constituents, but I do believe that Social Security apply the law which this House passed in a way which is in conformity with that law. I think if the Deputy is concerned about inequalities in the law she should seek to reform the law, not to blame the officers who are carrying out what the law requires them to do.

Deputy S. Pitman:

I am not blaming the officers. I am blaming this Council of Ministers for not consulting these people properly and not doing what they had promised in their previous strategic plans.

Senator T.A. Le Sueur:

I am sorry, I do not want to turn this into a personal argument between myself and the Deputy, but the comments that I wrote down here were that she said: "Social Security is not open and honest in relation to claimants." But that is a debate which I am sure we will have in the context of a Social Security Department review. She makes, however, an interesting point about where they are having ... started to help small businesses, we do maintain that help. I am confident that Jersey Enterprise does have to be an ongoing commitment to do that. She again talks about pay freeze and housing sell-offs. I will also thank Deputy Lewis for comments about the Parks and Gardens Department and I agree that our staff, in that department and elsewhere, do indeed work hard and it is demoralising to get comments which are perhaps not entirely founded. I turn now to the more general issues about the context of this proposition and the remarks of Deputy Le Hérisier as to where this debate is going and whether this is the best way to deal with it. The Public Finances Law requires the States to debate an Annual Business Plan. In theory, there is no need for paragraph (a) at all. One could simply go straight into the financial objectives. I think as you yourself said, Sir, Members would not be happy not to have the opportunity to talk about the activities of departments and this debate is really the one opportunity in the year for us to talk in the rounds about the way in which departments are going. So, I still maintain that it is correct to have a discussion on the objectives of the Council of Ministers and I believe that what we have done this year is to try to put that in the context of an overall objective rather than picking off one against another. I thought, my advisers thought, and my fellow Ministers thought, that this was a better way to proceed than the way we proceeded last year when we seemed to take for ever and not get very far. As I say, it is a matter for discussion. I would be happy to talk to my Scrutiny Panel, who I know are looking at the whole question of a Strategic Plan process, and maybe extend that to the Business Plan process as well to see if there are not better ways of doing things. Now, there was one comment from Deputy Le Claire to which again I take a little bit of exception, although I know it was meant in the correct way. He suggested this is not the States Business Plan but it is the Council of Ministers' Business Plan. At the moment it is a Draft Business Plan proposed by the Council of Ministers, which I am asking the States to endorse. If and when the States endorse this Business Plan it becomes the States Business Plan. From that stage we all have responsibility for it and we all have a duty to implement it. At that stage it is not just my responsibility, it is not just Ministers' responsibility, it is our responsibility. So I think it is again correct: we should have the opportunity to discuss these objectives and if we do not like them then as various Members have done we propose amendments to them. When we have got to the stage of agreeing or disagreeing with those amendments we then say: "Right, that is now a basis on which we can agree a Business Plan for next year." That is the process; it may be an imperfect process. It may be that some

people still think it is wrongly focused, but it is either that or we have no objectives at all. I think that would be the worst of the 2 options. I believe that what we have here is in fact a Business Plan, which has been refined by the help of the amendments we discussed yesterday and which we now have to either accept or reject. I believe that these objectives are worthy objectives for the coming year and I propose that they be accepted. On that basis, I would like to conclude my comments and simply ask for the appel on part (a) of the Business Plan.

The Bailiff:

Very well. The matter before the Assembly is paragraph (a) of the Business Plan. I invite Members to return to their seats. The appel is called for and the Greffier will open the voting.

POUR: 36		CONTRE: 12		ABSTAIN: 0
Senator T.A. Le Sueur		Senator S. Syvret		
Senator P.F. Routier		Senator A. Breckon		
Senator P.F.C. Ozouf		Connétable of St. Lawrence		
Senator T.J. Le Main		Deputy G.P. Southern (H)		
Senator J.L. Perchard		Deputy P.V.F. Le Claire (H)		
Senator S.C. Ferguson		Deputy S. Pitman (H)		
Senator A.J.D. Maclean		Deputy M. Tadier (B)		
Senator B.I. Le Marquand		Deputy of St. Mary		
Connétable of St. Helier		Deputy T.M. Pitman (H)		
Connétable of Trinity		Deputy M.R. Higgins (H)		
Connétable of Grouville		Deputy D. De Sousa (H)		
Connétable of St. Brelade		Deputy J.M. Maçon (S)		
Connétable of St. John				
Connétable of St. Saviour				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisser (S)				
Deputy J.B. Fox (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy A.E. Jeune (B)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy A.K.F. Green (H)				

2. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (b)

The Bailiff:

Very well. Then we move to paragraph (b) and I ask the Greffier to read out paragraph (b).

The Greffier of the States:

Paragraph (b): to approve the summary set out in Part Three of the report, Summary Table A, page 94, being the gross revenue expenditure of each States funded body and, based on a public sector pay freeze for the period from 1st June 2009 to 31st May 2010 and an increase in 2.8 per cent for the period from 1st June 2010 to 31st May 2011, totalling £719,747,900, and having taken into account any income due to each of the States funded bodies, the net revenue expenditure of each States funded body totalling £619,303,900, to be withdrawn from the consolidated fund in 2010.

Senator T.A. Le Sueur:

At this stage I would like to take a brief rest from speaking and ask the Minister for Treasury and Resources to deal with part (b) of this proposition on behalf of the Council of Ministers.

The Bailiff:

Very well, yes. Senator Breckon?

Senator A. Breckon:

If I may just raise a point. In this paragraph it raises the issue of payment to States workers, of which my cohabite - I think, is the term - is one. Having said that, I believe it is not quite the whole part, but a minor part of the whole thing. I believe I should declare that interest because in the end I will be asked to vote on this and it is paragraph (b), which is not separable. So, I do not know if you would like to give a ruling on that, but that is the situation that I am in.

The Bailiff:

Certainly, you alerted me to this, Senator. I do not consider that it is a direct financial interest. It would be, of course, if the matter before the Assembly were to vote for an increase in the pay of States workers, but this is in fact a proposition simply to adopt an overall budget and there is simply a reference to the fact that one of the assumptions is of a zero rate increase this year and 2.8 per cent next year. That does not seem to me to be a decision of this Assembly that that is what will happen; this is just an assumption for the forecasting. Therefore, I do not consider that there is a personal interest which requires anyone to withdraw.

Deputy J.B. Fox:

I should make the same declaration.

Deputy I.J. Gorst:

If I could make the same declaration as well, thank you.

The Deputy of St. John:

If I could make a similar declaration and in this case it is my daughter.

The Bailiff:

Very well. So, Senator Ozouf.

2.1 Senator P.F.C. Ozouf (The Minister for Treasury and Resources - rapporteur):

While objectives are clearly important I believe that all Members believe that the real meat and drink of political debate is that of spending. Perhaps it is the case that our budgetary process lacks some of the theatre of other parliaments where there is a linked debate between spending and tax, and maybe speaking to the Corporate Affairs Scrutiny Panel chairman that may change, but certainly the debate that we are going to have in the next couple of days does allow for a focused discussion on spending. It is called resources these days in modern parlance; I prefer to call it cash. Of course, it is cash that drives the delivery of services and our political objectives. I think that all States Members, when we seek office to serve, attempt to look forward. We attempt to all improve the lives and opportunities of Islanders. We all want to care, to educate, to protect and to build a

stronger community. This is the debate where we have to try and reconcile our hearts with our heads and I realise that that is challenging. I apologise in advance if I am going to have to be, within the next day or so, the financial conscience of Members. Last night I reflected on what I should say in introducing this part of the debate. I thought and tried to work out how many times there had been a spending debate in this Chamber. I think there have been about 120 spending debates I think before 12 Bailiffs, 8 finance presidents and 2 Ministers, and I wondered what our predecessors would make of the plans today. I wondered what our predecessors would think of how Jersey has evolved; a world that has become increasingly, over that time, more complex, faster-moving, globalised; a world in which standard of livings have improved, and particularly standard of livings in our Island; a time in which economic theory has moved from Keynesian spending to open markets to governments being prudent and in recent months where governments have spent and borrowed. There has been a consistent approach to Jersey's financial management. I think that we can say that Jersey has been prudent and realistic in the past and we have been long-term thinkers. I think the key success to Jersey has been that association with low taxes. We present the spending plans when the world continues to grapple with the worst financial crisis since the Second World War. The G20 meeting is meeting again in the next couple of days and governments of all major nations of the world are grappling with huge economic problems. It is perhaps fair to say that politicians outside of the Island are increasingly having to be more honest with their voters. They are having to be clearer about the real challenges of spending and cuts. I think that this Assembly needs to continue to deliver a prudent approach to financial management. I will be arguing that the decisions that we take in the next day should be taken with also the context of the financial objectives which have been reaffirmed by this Assembly in the recent Strategic Plan. I realise that it is tempting that we make the decisions with ... we are forgetting those fundamental principles; the fundamental principles of balanced budgets over the economic cycle, objectives of low inflation, objectives to improve the efficiency of the public sector, and at the same time to provide sustainable growth in priority of public services. I think we recognise that the next couple of days' debate is perhaps going to be dominated by the issue of health spending. I just want to say something of the fiscal framework and deficits. I cannot stand here this afternoon and say to Members with any degree of certainty about the scale of the medium-term structural deficits that the Island may face as a result of the economic downturn. What I have to say to Members is that imprudent decisions over the next 48 hours and perhaps longer will inevitably run the risk of higher taxes and more difficult service cuts in future. I would ask Members to turn to page 50 of the Strategic Plan and I would ask Members to keep the numbers that are set out in that table in mind when they are making decisions within the next few days. I realise that this is often said to be the constant refrain of previous Finance and Economic Committee presidents and Ministers for Treasury and Resources. Perhaps Ministers for Treasury and Resources are accused of being more focused on the numbers than the people. The reality is that we have to live within our means. I would ask Members when considering increases in spending to consider the state of public finances in other places. Consider the case of Spain where V.A.T. (Value Added Tax) is expected to rise to 20 per cent, where expected reality of cuts in services are now being discussed; a German election, of which they are fiercely debating the economic reality; a Czech Government which is in crisis; an Ireland Government which, formerly regarded as the Celtic tiger, has serious economic difficulties; and our major trading partner, the United Kingdom, with mountains of debt. Also, in our own class of nations, the Cayman Islands, with real concerns about their public finances. Hindsight is, some will say, a very useful thing, but what is clear is that governments who have spent unsustainably in the past now face the biggest challenges going forward. We are not immune from the simple rules of good financial management. We are not immune from the globalised world around us. We must, I hope, continue to keep to the principles that have kept us and brought us to where we are today. The Strategic Plan, as far as the financial objectives, have 2 principal objectives: firstly, to support the Island through the downturn; secondly, to maintain a strong environmentally diverse economy that the Council of Ministers believe is the solution to delivering higher standards of living. In the short term, the fiscal stimulus package, which this

Assembly has approved, unlike other places, taken from cash, is beginning to work. We have been cautious in applying this money, but there are now real signs that it is taking benefit and having a beneficial effect. Highlands College students are in classes that otherwise would perhaps be unemployed. Apprentices have commenced work and the Minister for Treasury and Resources announced the first in a series of projects to deliver civil engineering projects to keep people in work. Economic Development is supporting business and we have extended the income support arrangements for lower income families. Twenty-four schemes have been accepted, not all finally approved, but I believe the full effect and the full benefit of the fiscal stimulus package that this Assembly endorsed will become more apparent over the more perhaps difficult winter months. I welcome the Corporate Affairs Scrutiny Panel's further announcement yesterday of a review of how the fiscal stimulus plan is working. I am also happy to update them and the Assembly when it comes to budget time of our up-to-date assessment of the extent to which we expect to have to withdraw money from the stabilisation fund as a result of the cyclical deficit, which is set out on page 50 in the column of figures, second line up. Since the last Annual Business Plan there has been a significant change, as the table shows, in the global and local economic outlook. Last year we recognised that although low levels of economic growth could have been projected, we were perhaps going to see manageable deficits. This forecast, which is at the heart of the Strategic Plan, was based upon the best information we had. The reality since then is that there is an expectation of potentially larger deficits in the future. It is in this very difficult context that the Council of Ministers has prepared this Business Plan. There are a number of amendments proposed to the Business Plan and the Council of Ministers recognises that this is the one important time in the year where Back-Benchers and all States Members can propose changes to make a difference. Wherever possible, the Council of Ministers has sought to accept amendments that Members have made. While time has been limited, I can assure Members that the Council has given careful and fair - we hope fair - consideration to each one of the amendments. Some amendments have been accepted, but others, unfortunately, have not been able to. That is going to be a matter for Members. Where those amendments are not able to be supported, it is because they mainly increase the scale of that deficit that is set out on page 50. I have to say to Members that if we cannot contain spending, or make further reductions, then there will have to be a recourse to increase taxes and charges in next year's Business Plan. I am committed to dealing with a contingency plan as Corporate Affairs has asked me to do. I accept that a plan has to be flexible, it has to be sustainable, and it should maintain Jersey's competitive position, and it is going to be difficult. It may also now have to reflect the changing world around us and particularly perhaps the new signals that are coming from the G20. It is this context that has made this Business Plan, for some of us that have been involved in Business Plans for a number of years, without question one of the most challenging. It has been particularly challenging because of the work on the Strategic Plan fiscal stimulus package and, most importantly, the massive amount of spending pressures that the Council of Ministers has had to deal with. Despite this, the Council of Ministers' Business Plan that is before Members is consistent with the limits broadly approved a year ago. I would like to recognise all the Council of Ministers who have done a tremendous amount to try and reconcile and find a solution. The Council has met numerous times in recent months to resolve these very difficult spending pressures. We have had some frank and robust discussions. We have not always seen eye to eye, but a fierce coalition of independence with a corporate responsibility has found a solution. I would like to thank the Chief Minister for being a fair team captain with the reconciliation of Ministers' competing demands. I am sure Members will have read the Plan and know that this Plan identifies a significant number of spending pressures, amounting to £17.3 million in 2010, all of which have had to be dealt with by savings or additional income. Additional new money, additional investment, in Children's Services, growth in Health and Social Services, maintaining the value of social benefits, continuing our policies in relation to building a fairer society, provision of funds for residential care, and increasing the level of essential maintenance for States property and infrastructure. Some of this is being delivered through service reductions and some of it is being delivered through the application of a pro rata cut across all departments. I

recognise that this has been difficult, but we do believe that it is deliverable. The Plan is also consistent with last year's amendment involving environmental initiatives; £2 million investment in energy recycling and transport, dependent to a large extent, even though there has been the decision made yesterday in terms of recycling, on the implementation and introduction of an environmental tax. This is not strictly a debate on the pay freeze. We will come to that in 2 weeks' time. There are important aspects of public sector pay that are at the heart of this Plan. I feel that I must explain to Members the full implications of potential changes to the public sector wage budget. P.143 asks for a reversal to the 2 per cent pay award from June 2009. That would mean a difference of £3.5 million for 2009 and a further £6.2 million for a full year and each year after. Those decisions increase that deficit on page 50 by £10.7 million by the end of 2010. It is very unclear to me where the funding for such additional money will come from. I hope that it is clear to Members that a reinstatement of a pay award is going to be almost, in fact, impossible without further cuts in services or increased taxes. We will come to that debate later, but I think it is important that Members are aware of the consequences of changes in that policy. The next 9 months for the Treasury are going to be intensive; a review of fiscal policy to deal with the structural deficit, a response to funding pressures, which I have no doubt we are going to find in Health and perhaps Social Security. We need to deal with the ageing society and find a solution to liquid waste and perhaps deal with a changed world. I am determined the Treasury is going to be able to lead and be capable of leading to deliver better financial management to play its part in savings and efficiency across the States of Jersey. I am determined that this Assembly has an honest and realistic debate on spending. I want to do everything I can to assist Members to have real choices about the level of public spending and taxation. We also, I hope, are going to do everything we can, together with this Assembly, to deliver savings and realistic efficiencies. This is a plan which reflects the turmoil in the world around us. It is necessarily prudent. It is quite rightly caring, particularly on health. It is necessarily realistic on efficiency, but continues to deliver high levels of public services to the people that we need to look after. It is a Business Plan appropriate for its time, it prepares for the future, and I commend it to the Assembly.

The Bailiff:

Is paragraph (b) seconded? **[Seconded]**

3. Draft Annual Business Plan 2010 (P.117/2009): eleventh amendment (P.117/2009 (Amd.11))

The Bailiff:

Now, there are a number of amendments. The first one to take is Amendment 11 from Deputy Trevor Pitman and I will ask the Greffier to read the amendment.

The Greffier of the States:

Eleventh amendment, page 3, paragraph (b): after the words "withdrawn from the consolidated fund in 2010" insert the words "except that the net revenue expenditure of the Chief Minister's Department shall be decreased by £203,000 by disbanding the Communications Unit."

3.1 Deputy T.M. Pitman:

It is quite common knowledge that I share a lot of different political perspectives with our Senator Ozouf, but I still congratulate him on a very rapid but certainly a very, very well delivered speech. **[Approbation]** That is the nice bit out of the way. **[Laughter]** I would like to begin by remarking on something else nice; I felt genuine insight and truth written by a reporter - we will call him Mr. Q., because I know we are not meant to name people, although, he has asked me if I would refer to him as "The Legend". **[Laughter]** Maybe I will get a pint out of this, I do not know. It happens to really strike to the heart of things here. It is not an exact quote but then, hey, when has he ever quoted any of us word for word. **[Members: Oh!]** What I am referring to is how Mr. Q., or The Legend, observed recently that it was never nice to have to take a pop at people who were basically

nice, decent people and in their jobs no doubt for the best of intentions. Yet, if a journalist was to do his job, observe Mr. Q., then he simply had to do just that if things did not happen to be going as they should performance wise. Of course, he was talking about us States Members, but I think the point is really relevant here in my introducing this. I have after all brought an amendment to disband the Communications Unit and the reality of course is that what everyone thinks of the unit, its functions and performance, behind that title are a handful of real people with lives, families, et cetera. Now have I got anything against the members of the Communications Unit? Of course not; I do not even know them individually. Yet if we were genuinely serious about making efficiency cuts and cutting out all that is superfluous, then I am afraid, like the journalist, I just have to do what I feel I was elected or employed by the electorate to do. Within that analysis, I am afraid, I have to say that possibly, through no fault of their own, the Communications Unit have become or allowed themselves to regularly act as a propaganda unit for a certain political take on politics than an actual communications unit there to do just that. Simply, in my view, they must go, at least in their current form. Indeed, there is a means - and let us face it, a very expensive means - for apparently engaging with, consulting and informing the public and helping those involved in major policy issues to plan how to communicate their policies, putting public understanding first, for that is core to what the unit is mandated to do. The Communications Unit has, I am afraid, been all too often a disaster. I bring this because I believe it is absolutely essential that we do cut out all that is not cost effective. If we have to, at a later date, remodel and resubmit then so be it. These issues are so important that this amendment has to be brought. Whatever the vote, its interest of long-term government for the future, it has to be brought. I suggest it has to be supported. These issues go to the heart of democracy. Just as important is that the people of this Island, the electorate, are quite clear what we are currently wasting - and I do not like to use that term - their hard-earned money and taxes on while they have simultaneously witnessed essential services, like patient transport, provisions for highly vulnerable children and families, threatened with termination. They are getting ineffectiveness, poor value for money, and spin, spin, spin, and not very good spin at that. It says on the amendment that this is about saving £203,000. The Council of Ministers, when they comment, talk about an increase to £250,000, if we were to return to the days before the Communications Unit were created. The proof surely is we are talking about a whole lot more money than this when one considers a positive or negative impact arising from the use of the Communications Unit if we do not ensure that it does what it was intended to do. Let us just consider a few of the things picked at random related to the Communications Unit's mandate, and more importantly consider their success, effectiveness, or otherwise. Everyone has got these within the comments from the Council of Ministers and they were available earlier, should anyone have asked. I could pick just about anything from the list contained within that document, but I will stick with just a few because we are trying to finish before next month. Liaising with local and U.K. media: well, what could we say about this? What was the response from the first 2 journalists - do not worry, I will not name them or even indicate who they might be - who I had a chance to speak to after it came out that I was bringing the amendment? One said: "God bless you, Sir." Another said: "We used to get fact and now we get spin." Let us just consider - and I am not going to go into this in detail - the whole before, during and after saga surrounding the historic abuse inquiry; a very difficult time and process demanding absolutely top-notch professional input and guidance. Will anyone really ever forget the truly spectacular press conference at St. Martin? Are the Government and Jersey taxpayers really paying for this shambles? Again, I do not like to use this word. We are seeing this still right now with the recently departed successor to Mr. H. Marks out of 10? Probably zero. Another element from their mandate: helping those involved in major policy issues to plan how to communicate their policies, putting people's understanding first. Well, this follows nicely on from the last one and I have to say I am sorry that although we all seem to talk to different people within our Parishes or districts, there has never, ever been in Jersey history a time when government is being believed less than during the Ministerial era, certainly in the 30-odd years that I have followed Jersey politics. Well, we can differ and that is fine, but ask people, listen to the radio, read the paper, the various political forums, and it is not a question of whether people

are left, right, green or whatever, they are sick of spin; spin that bears little relation to reality. Just consider the incinerator and contract issues, G.S.T., the town parks, suspensions of individuals. The Council of Ministers' total indifference to public anger that no one, not a soul, within the Executive is ever accountable for anything. The spin in these areas has been appalling. We are even seeing it, I am afraid, with the fallout from the Panorama programme. Sometimes you have got to face up to the problems you have and deal with them; not answer them with spin and apparently the easiest exit from the problem. Deal with it. That is about fact and delivering fact. It is not about spinning your way out of a problem. Again, marks out of 10? Zero. Let us take a different angle. Let us look at another one of the areas: advising on the writing of Green Papers, White Papers, and other consultation documents. Well, a week ago I received a little note, unfortunately far too late to try and find out more detail. It was about an apparently quite intense bit of Communications Unit research into maximising the impact of Green Papers. In case any member of the listening public do not know, at the very top here we are talking about salaries of nearly £64,000 and I certainly will not go into specific details of any people. The gist of this was apparently the awe-inspiring improvisation that, wait for it, Green Papers would be printed on green paper. Remarkable. I am sorry, I keep repeating, and I take no pleasure in saying this - I really do not - but to steal the catch phrase of another politician, if this is even half true then you really could not make it up. Taxpayers are paying for this. What I will say about money, because after all that is the section we are in, we do have to consider that within this unit, and without linking anything to people, we are talking about 2 salary grades at officer level, salaries ranging from £34,500 to £45,000. At the very top, in ultimate responsibility, we are talking between £55,752 to £63,880. Now, in case that is lost on anyone, almost 20,000 more than the politicians taking the decisions behind that communication or spin. For that kind of money I think we deserve fact, not spin. A fourth example, the one for real consideration - and Deputy Southern, if he was here, he would like this one - advising departments how to provide clear, user-friendly information about States services, including - and human resources confirmed this for me - designing forms for the public. Call me old Mr. Picky, but if the Communications Unit have had any input to Income Support on form design where you need a Ph.D (Doctor of Philosophy) just to find out what you might not be entitled to, but do not bother anyway because you are quite likely to get a completely conflicting information and answer dependent on who and what day you turn up. That is a fact and I think maybe that is what one of the previous speakers was getting at. Then this should surely be grounds for disbanding the Communications Unit on the spot. Let me just quote for the sheer comedic value of it all: "Do not underestimate the importance of simplicity when designing forms for public use. People fill in forms reluctantly and in a hurry. The more user-friendly, clear and simple the form the less likely it is that people will makes mistakes. Fewer mistakes mean less administrative time spent contacting the person concerned to get more information or correcting the form." Well, that one must have really been well communicated down at Social Security. Now, there are also some real gems of advice on words not to use and words that do not really mean anything, apparently like "Ministry", but I am not going to go into this aspect; I will leave that possibly for Deputy Vallois, who drew my attention to it and we did have a good chuckle. I could go through this document line by line, but the fact is that I do not believe for a minute - and it is a concern I know is shared by others - that the Council of Ministers will be genuinely concerned about all these real failings at all. Why? Again this cuts to the real chase, because many of us are quite clear that the Council of Ministers has bent the Communications Unit to their purpose. It may well be of course that the Communications Unit has allowed itself to be bent. Instead, anyway, I will focus briefly on life before the Communications Unit. As I have already quoted an example from journalism: "We used to get fact; now we get spin." The Council of Ministers' comments talk about the previous cost of £250,000, yet of course like so much that has to be said that we get from the Council of Ministers, there is absolutely nothing, no specifics whatsoever, to back that up. Why, I ask? They also talk about the need to employ consultants additionally to support major initiatives. A larger sum than on the surface. Did pre-Communications Unit days see the same degree of spin of frankly wholly inept performance? Not to my recollection. I can stand here quite

honestly and say I have followed politics for a very long time. Put quite bluntly, you would not put up with some of the above examples from an outside agency, would you? You simply would not pay. You would not accept the performance, you terminate the contract. I have to say the Council of Ministers' comparison is about as watertight as a string vest. Let us also not forget the talk of consultancies is hardly reassuring. We have, after all, over the period of Ministerial government also spent more than £4.4 million, I recall, on the incinerator project. I wonder how much of those monies in reality overlapped into spin territory? I would be interested to learn. Of course, the warnings were surely there for Government right from the start in the delusion that the Council of Ministers and the Council of Ministers' loan is the Government, not 53 people who were elected by the public. Something we need to tackle. No need to have a genuine Communications Unit that would be a vehicle for all of us. Just for another example of Jersey's warped interpretation of democratic and efficient government. Could we survive without the Communications Unit? Most definitely. It need not all be about employing consultants. We should undoubtedly be making better use of what we already have to hand, such as Assistant Ministers. I am not suggesting that all the work is shifted to them. The fact very conveniently ignored by this Council of Ministers is that originally Assistant Ministers were intended to double up, to create and increase synergy and enhance performance. Now, of course, every Minister appears to need 2. Then someone - most, and most do ... **[Interruption]** I do not know. I think Waldorf and Statler have walked in, you know? Thank you for throwing me; it worked. **[Laughter]** It worked very well. Do we also make best use of our departmental officers? I do not believe that we do. All could play a part in this area. What we have got now is totally unjustifiable, or at least so far, totally unjustified. Perhaps a reality check is in order. Look how Back-Benchers have to manage to function. Is it really so difficult to create a press release to put your argument forward in line with your propositions to do that research? Many of us manage. Perhaps it becomes too difficult when you cross over to the other side. Yesterday, Deputy Noel got very excited and rather confused. Perhaps his Blackberry link crashed mid-speech when talking about Deputy Southern, and presumably the J.D.A. (Jersey Democratic Alliance) usually liking to spend money. Unfortunately, if the Deputy only had any real understanding of politics he would know, if he just looked back at history, that it is the Council of Ministers and their political bedfellows for the past 20 years who stand for big overspends, big management, big civil service, and big waste. The J.D.A. represent a government that would be as honed and fit as a butcher's dog because we believe you use what you need to do the job and no more. **[Interruption]** Well, we will have to make you President then, will we not, Senator Le Main. **[Laughter]** I will bring the documents from 1983, shall I?

The Bailiff:

Senator Le Main, we do not want those sort of interruptions across the Chamber.

Deputy T.M. Pitman:

He phoned me and made an intimidating phone call if you like. It just brings to mind a member of the public who said politicians should retire at 65. **[Members: Oh!]** We were all getting along so nicely too, were we not? To wind up, and let Senator Le Main have his say, and in spite of all I have said ... and I would like him to point out when I have broken the law, but there we go; let him repeat it outside. I probably owe the Communications Unit an apology for the true responsibility for their failings must surely lie with the Council of Ministers and, indeed, a Chief Executive Officer, who at the bottom line ultimately lead and dictate how such a service will develop and operate. Perhaps I should have brought an amendment to disband the Council of Ministers, if only the Business Plan process would have allowed. Perhaps I should call a review; maybe I will. Unfortunately, many of us have little faith in what comes out of reviews. Nevertheless, the key related facts remain: the Communications Unit has failed in what was surely its core purpose of communicating and enhancing only democratic and transparent government. It has failed because those involved have allowed the lure of spin, the curse of modern government throughout the world to supplant cold, hard, unadorned fact of information giving. It has failed because in so many

areas, as I have stated, the quality of what has been delivered has been hugely substandard. The Communications Unit, as it exists now, really should be disbanded. In the chance that common sense prevails and it was ... of course there would be redundancy costs, as painful as that would be for individuals, particularly in this present climate. The reality is that this can be no excuse for allowing the present system to remain in place wasting more and more of our taxpayer's hard-earned monies. We can find better use for £200,000, whether that be by as rapidly as possible researching and restructuring a unit that really would meet the criteria laid out within the Communications Unit's mandate and job descriptions and putting in the checks and balances to ensure that this could not be perverted, or by a mix of a much honed-down unit working in tandem with Ministers' assistants and their departmental officers, as I have indicated. Either way, until a way forward that is worthy of a true modern democracy can be agreed upon, I contend that this money should be returned and remain firmly in the coffers. Would the Government struggle a little in the meantime to get its message across? Possibly, but the truth is little could be worse than much of this. Communication and fact, yes; spin and political propaganda, no. I make the amendment with a rider that in the light of the amendment not being passed I will be returning with a proposition to ensure the real concerns I have highlighted cannot be sidestepped. With that I thank everyone who has interrupted. I hope they will be as vociferous within the debate and I make the amendment.

The Bailiff:

Is the amendment seconded? **[Seconded]** Senator Le Main, I assume?

3.1.1 Senator T.J. Le Main:

I have heard it all. One of the most pathetic utterings I have heard in all the years I have been in this Assembly. A bitter, disillusioned little man. **[Members: Oh!]**

The Bailiff:

Senator Le Main, you as well as anyone else ...

Senator T.J. Le Main:

I will withdraw that. I do apologise. A slip of the tongue.

The Bailiff:

Very well. You withdraw it and you will stick to Standing Orders.

Senator T.J. Le Main:

I will stick to Standing Orders. I cannot believe to listen to so much spin from the J.D.A. **[Laughter]** and ... I am only spelling out what has been said by the proposer of this mad, mad amendment. We keep hearing from the likes of the proposer and the J.D.A., how everybody in this Island are absolutely fed up. They are fed up with the Council of Ministers, they are fed up with **[Interruption]** the Housing, yes ... the Minister for Housing. They are fed up with everything that is going on. Well, let me just say that I feel very, very proud to be a Jerseyman. I feel very proud that in this day and age of a time of ... very difficult times financially all over the world, we stand among the best. We are among the best in regulation, judiciary, in our finances, in our reputation and everything. We stand among the best. Yet we have got Jersey people that keep running down this Island as if it was a Mickey Mouse state. I am getting absolutely fed up to listen to Jersey people, the way that everything is so bad, everything is so wrong, everything you do they vote against, and everything you do is awful. I have not heard any evidence at all today on this amendment from the proposer that it is all allegations, it is all stuff that has been ... I bet the proposer has never even been to the Communications Unit to talk to the staff. Good Jersey, ordinary people trying to do a job. I have heard it all. In fact, this amendment, if it was supported by Members, would be quite disastrous for Jersey. If it was disbanded ... this unit is now more crucial than ever in responding to and working with other agencies in Jersey, the Jersey Financial

Commission, Jersey Finance, and other agencies and countries all over the world. It is quite clear that this unit has, and is continuing to build up, a very positive working relationship. It is a relationship to other agencies, governments, countries, and internationally, as we are now recognised, as one of the finest places in the world for regulation, for safety, for honesty, for everything. The I.M.F., as we all know, has recently recognised Jersey as a top-class jurisdiction in regulation, et cetera. It is so important to have a dedicated unit dealing with increased workload or promoting our financial services industry around the world. Also responding to often false and misinformed media and individuals who choose to criticise everything that we do, that there is nothing good about Jersey. I know very well through my regular meetings with finance industry, Jersey Finance leaders, that one has to have a Communications Unit. Yes, there will be times when one can be critical of decisions; people are human beings and we all make mistakes and I am sure the proposer of the amendment has never made a mistake in his life. At the end of the day we can learn and we can improve it if it needs improving, but it is highly desirable that we have a communication with highly skilled, trained personnel available to work and respond. Having such a dedicated unit there has to be continued training initiatives for the staff and we crucially need, as I say, real professional communications, especially as we are seeing and now trading as one of the best places in the world in the provision of financial services. I am totally amazed again to think that the way that Members of this Assembly feel fit to criticise, to derogate, to absolutely try to destroy this Island. Well, let me say that I will be very interested when the J.D.A. has their Annual General Meeting in the telephone box at Snow Hill **[Laughter]** to see how many people attend the Annual General Meeting. I can assure you that I speak to many people and I go up and down St. Helier and I go through everywhere and I know lots and lots of people, probably more than anybody else in this Assembly I know and, by gosh, I am never ... the people I speak to do not speak in the same vein as the proposer has done today in regard ... and this is not the first time the proposer and his members of the Jersey Demolition Alliance ... sorry, the J.D.A., I apologise, Sir - behave. So, I urge Members in the best interests of this Island to not support this absolutely ridiculous, silly amendment.

3.1.2 Senator T.A. Le Sueur:

One of my neighbours asked me just now whether my speech had been written by the Communications Unit. It was a jocular question because he knows perfectly well that I wrote it myself and I always do. This is not a jocular matter; this is a matter which is very serious and I deplore the way in which it was proposed in such sarcastic tones. **[Approbation]** I think we have to understand really what is the purpose of the Communications Unit, what is the purpose of communications, and to me effectively it is to enable the States to connect more effectively with the public, both locally and internationally. We spoke earlier this morning, and I know Deputy Le Claire is not here at the moment, about greater engagement with the public and that involves communications. We often forget that communications is a 2-way process. As well as the States conveying messages to the public there is also an important role in listening to the public, answering their questions, and dealing with their concerns. One of the catch phrases we often hear these days is that of joined-up government. I hope that all Members would like to encourage and promote that joined-up approach. It is part of a wider approach we have seen elsewhere, aimed in improving efficiency through better co-ordination and better use of resources and thereby delivering better services to the public. Prior to the creation of the Communications Unit, each department used to have staff engaged in the process; staff whose primary role was often in very different areas and whose valuable expertise was not being fully utilised. This was an inefficient use of their time and hence it was agreed that a small central team of professional staff would be a far more efficient and cost-effective solution. This amendment, if it were to succeed, would reverse that policy and we would go back to where we started to that more fragmented and perhaps even more costly approach. At a time when we are trying to find ways of doing things more efficiently rather than cutting services, that strikes me as being perverse and going backwards rather than forwards. We also need to be quite clear that the States itself have set out certain clear policies and

standards in respect of public consultation. In the old days when I was ... well, in my younger days when I was first a States Member we had a more informal, unstructured approach. Now we agreed, I think quite rightly, that a more formal process of Green and White Papers had a far greater opportunity for public consultation. I think in previous years, previous States, consultation was the exception rather than the norm; I think in the 1980s and 1990s we had consultation on the Island Plan, I did some public consultation on Social Security reforms, but they were pretty few and far between. I think one of our objectives in this new modern age is to improve that consultation in an effort to have better links with the public. I think that that additional participation is aimed that when we debate policy proposals we do that in the knowledge that the public have been fully informed and we have been able to get feedback from the public of concerns they may have about policies. They do not read propositions, it is not their job, it is our job to do that, but if we can help them to understand what they are proposing then maybe they can help us ensure that we do not make mistakes we might otherwise make. So, that should make for better decision-making processes. I reiterate that the Communications Unit is there to facilitate that process. It does not formulate policy. That is our job. Another thing that has changed in recent years is the way in which the international spotlight is increasingly falling on the Island. Again, this is an aspect of the Communications Unit, which perhaps is overlooked by some people, but is a key part of the overall communications process. At a time when some people would like to throw mud at offshore centres in general, and Jersey in particular, it is essential that we are fully geared up for dealing with this. Communications, as I say, are a 2-way process. Just as we have to give that message to the wider world, so also we need to be aware of what the wider world is thinking about us, particularly the informed members of the international community. An increasing part of my role is involved in external affairs and as far as I am concerned it is vital that I am well-equipped and well-informed. The international reputation of Jersey is worth many millions of pounds to us and we have a very good reputation among the people who matter. It would be a false economy, indeed a reckless policy, to jeopardise our international reputation for the sake of saving a few thousand pounds. Although the external focus of the Communications Unit appears towards the end of the background notes attached to our comments, I am sure that Members do not need to be further reminded of its current vital importance. Members may, however, need reminding about some of the other activities set out in our comments which set out some of the wide range of activities they undertake. I should also like to dispel the notion set out by Deputy Pitman that the Communications Unit is there as a spin machine or propaganda unit for Ministers. Ministers do not set policies. The States sets policies. Ministers are there to implement them once they have been agreed by the States. Ministers - I speak for myself and my fellow Ministers - are quite capable of being able to justify their actions themselves to the public. What is important is that the public are clearly informed of decisions taken by Ministers to implement those policies. That information should be presented in a clear and impartial manner and if any Member has concerns about that then let them raise them. Is there room for improvement? I am sure there is always room for improvement but if a unit is not perfect that is not a reason to disband it. It is a reason to seek improvement, just as we seek improvement in all that we do. The Deputy suggested we might replace them with Assistant Ministers or some other staff. Frankly, why replace professional Communications Unit people with amateurs who are not trained to do that job? In conclusion, the Deputy suggests that this is a good way of saving a couple of hundred thousand pounds. I would like to suggest that far from saving any money it would probably incur additional costs as a result of the fragmented approach that would then follow. Would anyone contemplate disbanding the Statistics Unit and suggest that each department should run its own statistics information, would they do that equally? Would anyone suggest that each department has its own Economics Unit? Of course not. We have come to appreciate the benefit of centralising such activities. Why then would we consider decentralising communications? This argument is irrational at the best of times. Deputy Pitman referred to the Panorama programme earlier this week and I say at a time when we are coming under a wider international spotlight, it is even more important that our Island Communications Unit is fully and properly equipped to meet the challenges we face. To disband

our Communications Unit at this time would be a reckless gamble to perhaps save a small sum of money at the expense of ruining the Island's reputation. **[Approbation]** I do not want to go that way and I suggest that Members reject this amendment.

3.1.3 Senator B.E. Shenton:

This will be quite a short speech because although I have served on the Executive and on Scrutiny and have been in the House for 4 years, I have had very, very little to do with the Communications Unit during that time, including the time I was on the Executive. To be honest with you I was sitting there listening to the Chief Minister's speech and I realised I do not know what the Communications Unit do, if I am totally honest with you. I did not realise that they were there to individually speak to the public and get views of the public. It is all totally new to me but I think what is quite interesting is the way that this Business Plan is going and the way it has thrown up this amendment ahead of the next amendment which is a vital amendment to provide respite care to people who are disabled and carers that need respite. Obviously I will go into greater detail when we get to that vital amendment but it will be interesting to see how many Members stand up from the Executive and speak in favour of retaining the Communications Unit and then stand up and speak against giving vital respite care to members of our community. **[Approbation]** I think, quite frankly, that sums up our government.

3.1.4 Deputy D.J. De Sousa:

I am really glad to be following the last speaker. Firstly, can I say I also am very, very proud to live and work in Jersey, always have been, always will be. This amendment is not an attack on Jersey or the people who work in the Unit. Can I commend Deputy Pitman for being so brave as to bring this amendment. I have to disagree though with him because I found that the Treasury Minister's speech, in my mind, only mine ...

The Greffier of the States (in the Chair):

Sorry, we are inquorate, Deputy. We thought we had been saved by Deputy Maçon, we need one more Member. Very well. You may continue, Deputy.

Deputy D.J. De Sousa:

Can I just say that in my mind the speech of the Minister for Treasury and Resources was full of spin and shroud-waving. I am sorry but that is how I feel. I will give examples in a short while. The Communications Unit is a centralisation for spin. This House does know that I am not usually controversial but this unit, as my colleague has explained in his speech, is a waste of taxpayers' money. I know in some peoples' minds that £203,000 is not a great deal of money in the overall scope of things but every penny of taxpayers' money is vitally important to each and every Islander. We must show our Island that we are a progressive government. Asking Islanders for user-pay for vital services, for asking them to take a pay freeze for all the price increases that we have had and then we have been asked to make departmental pro rata cuts across the board. This, let us be clear, is spin. This Business Plan is asking for £17 million in pro rata cuts in order to increase it by £17 million in the department budgets. This, if ever I have heard of it, is robbing Peter to pay Paul. The Chief Minister, in his speech, in the summing-up of the debate on (a) of the Business Plan, said this Business Plan is just for one year but you look through this and the annex that goes with it and it has forecasts for the next 2 years. I believe that this is the base for the next 2 years' spending as well. If this is not spin then I am sorry, I do not know what is and I will be voting for this.

3.1.5 The Deputy of St. Mary:

Not to be outdone by Deputy Le Hérisier I will start with a quotation, I think Townsend in his *Up the Organisation*. He does these short little pithy paragraphs about management advice and the page that is headed P.R. (Public Relations) Department: "Fire them." That is what he says: "Fire them." That is quite dramatic and I must say I am far more ambivalent about this amendment than

that. I do agree with some of what Senator Le Main and Senator Le Sueur said or rather the tone, in a sense, of what they said, that we need to be careful here about being positive about the Island. I am glad the previous speaker said that that is how she felt about the Island and it is not really about that. The Communications Unit does do valuable work and I was going through the offices upstairs in Cyril Le Marquand House - before I was elected - on quite another matter and went past the Communications Unit and just happened to get talking to one of the people, then I asked what they did and it was similar to this list. I was quite taken aback and, similar to Senator Shenton, I had had no idea they covered that amount of ground. There is a job of work to do but there are problems and issues in this area. My goodness, there are problems and issues and I will come to that at the end but first just a little bit of background. When Townsend said: "Fire them" he then wrote 2 paragraphs on how it should be done, 2 paragraphs, that is all, he did not waste words. Basically what he said was you either have a person or consultant or something to train the people who are at the sharp end, to train the person who is actually doing the job. So you train the manager of Bellozanne in how to present information and how to be clear and how to be non-contradictory and how to be open and that is it, then everyone in the organisation is empowered to deliver their own message. Now, of course, you can immediately see the problem there. Everyone is empowered to deliver their own message. That implies honesty right the way through the organisation and nobody has got anything to hide. The person who is running the recycling operation can tell the public what they are doing and there are no issues and as long as they know how to do that because there are skills involved in public presentation and also in public listening which this person would advise the people at the sharp end how to do it. That indeed is in the roles. We see here on bullet 5: "Delivering training for staff on media awareness, consultation methods and general communications, running meetings and training sessions." That is not easy. It is something that many people have to be trained to do and in some cases will never manage to be able to do because of their personality, because they are just not that sort of person. So, there has to be a measure of cleverness there but that is a role of the Communications Unit. Somebody has got to do it because they are not going to communicate on every aspect of everything to the public. If you are doing Broad Street and you are running a consultation on Broad Street you are not going to have Comms Unit people standing there, you are going to have planners standing there. They need to be aware of what their role is and that does require an element of training. Similarly, the second bullet there: "Advising departments how to provide clear user-friendly information about States services." Well, as the proposer pointed out, clear user-friendly information is not always easy to do. Some people cannot write clear user-friendly documentation, other people can. Again, there is a role there. I am not saying how it should be done, there is a role there and somebody has to do it. The fourth bullet: "Helping those involved in major policy issues to plan how to communicate their policies, putting public understanding first." Well indeed, that is an eminently important thing that we have to do and we have to get it right. There is a role here and, as I say, I am going to come to the problems at the end but I am just underlining that somebody has got to do it and I think that is the sort of question that the Chief Minister was alluding to. Now, there is also a location for professional awareness that I do not think can be disputed in the more technical areas, if you like, the more limited areas. If Members would go to the third bullet from the bottom on page 3 of the comments - sorry, I am referring to the comments all the time - of the Council of Ministers I think, it is the comments of the Council of Ministers on their page 3, the third bullet from the bottom: "Leading public awareness campaigns, liaising with design agencies, negotiating discounts, advising on commissioning booklets, posters, leaflets and so on." Now that would not be done by every department. It would be daft to have every department with an expert in commissioning print. You just do not do it like that. Again, you have that centralised so that it is done better and probably cheaper too because you would be able to negotiate, obviously, bulk rates. The second bullet from the bottom mentions: "Arranging translations into Polish and Portuguese." Again, that has to be a central function. It would be crazy and unthinkable to think that each department would arrange that for themselves. It would also lead to an awful mess and bad translations, I can assure you because I, like my colleague Deputy Tadier - who is not here - know about translating and you

do have to commission it right, you have to specify it right and you have to get it right. There are real dangers in not doing it right and again, it is rightly in the remit of the Comms Unit. Then we have the last bullet on page 3: "Designing and producing e-surveys." We are told here that the speed limits consultation elicited 800 responses. Now that is a good reaction. That is a really good response rate and again, I do not believe that every department should run its own e-surveys. That would be absurd and when I went and had a look at the speed limit consultation it was an easy click, click, click, you could answer the questions and I think there was a box for general comments. Obviously I did a longer thing myself personally but for most people in the public that is a good way of reaching people and look, 800 responses. Again, that is a role for professional awareness. It is a role that should certainly be centralised. What are the problems with this unit? Why is this amendment being brought? I do have some sympathy with that argument as well. I hope that somebody from the Council of Ministers is going to answer these questions for us. I have got 5 problems that I have come up with. The first is form design. Now, the proposer did rightly highlight the income support form. I got one because of my mother's status. I looked at it in amazement. I just sort of leafed through it and I thought: "Oh, dear" and it would be a problem for, I think the proposer mentioned, having Ph.Ds. Well, I have not got one so I could not fill it in so I passed it on and tried to get shot of it, but anyway there is a real problem there. My question to whoever is going to respond to this debate from the Council of Ministers is, is there any feedback on the suitability and the correctness of our forms? Form design is difficult. It is not easy to design a good form. I have designed forms myself in my business and it takes hours to get it right, hours of niggling away to get it so it is absolutely transparent and so you get good answers that do not need revisiting as I think someone mentioned. Is there any feedback? Is there any quality assurance? Does the Comms Unit ever go back and say: "Did it work, how was it?"? Does somebody assure their quality in this area? That is the first question. The second question is this question of "they only work for the Council of Ministers". I would like to know how much work they do for Scrutiny. How much work they do for individual departments? How much work they do direct to the Council of Ministers and how much work they do on consultations and how much on training? On consultations, I just had a quick look at the performance report and, indeed, they ran 30 consultations in 2008 and 20 in 2007. So there is an answer for Senator Shenton. There is a lot of work there and I think the increasing amount of consultation that we do is right but again that leads to a problem that I am going to come to, but the consultation is really important. How much work do they do for all the different bodies? I just want to know where their workload lies. The third point is I think there is a need to write proper consultation reports. It is all very well doing consultation and then shoving all the consultees' responses on to the website. Sorry, I am not going to read 600 pages of consultation responses to the Jersey Overseas Aid consultation. I do not want to do that but I do need a summary. I do need a fixed form summary, who said what each consultee said in very short and then each topic, who said that particular point, that particular point, that particular point. It is not rocket science. It is a lot of hard work and I want to know why we do not have these reports and whether we could have them in future. Then finally the most important issue, which of course was covered by the proposal, which is trust. This is all about trust. Is this Communications Unit more about spin than about communicating honestly and fairly? Now, this does not cover, of course, all their work on consultations and so on. It is about the media releases, it is about their work with the press. I am just going to mention 3 examples and this really is critical. It is really important as to how we are perceived, whether we are seen as an honest government or not and that is why we have to talk about it. That is why it is so critical. Again, we need an answer from the Council of Ministers, whoever is going to respond, as to how they see this issue of fair, honest communication. The first example is the example of Ramsar. Who are the experts? In any given area who are the experts? They are the people who are affected by a given issue and they are the people who have looked at the issue and out there, of course, with each issue put people in both categories. I just want to know where the Comms Unit was when the consultations were being done with regards to scoping the environmental impact assessment. Was the Communications Unit approached at all? Were they part of excluding Save Our Shoreline,

excluding the Ramsar Steering Group for the offshore reefs and indeed any organisation that was specifically concerned with the marine environment? They were all not consulted. Did the Communications Unit have a role in that? The second example, my last example, is Imagine Jersey 2035 which did such huge damage to the credibility of the Communications Unit and to our government. What they did there was they presented the message that the public supported the notion that the population had to increase. Unfortunately I do not have the actual press cutting with me. If I had I would read it out but the fact is that the 100 people who gathered in the Royal Yacht Hotel down by the Weighbridge had indicated that they agreed that no nil net migration was not correct and that limited net inward migration would be okay. The whole point about that is that nil net inward migration gives you a falling population. It gives you that crisis of going down to below 80,000 with the Chief Executive Officer shroud-waving and saying: "This will give us a deficit of 140 million." People faced with that said they were quite happy to have limited net inward migration of plus 150 households and that would have given us a steady population. This was relayed to the public as the people who attended want more population. That is spin. It was not honest and it did a vast amount of damage. To conclude, I want answers to those 4 questions, please, from somebody. Form design, is there any Q.A. (Quality Assurance) at all? How much work does the Comms Unit do for different parts of government, including consultation and including training? What is their workload? How does it divide? Can we not have proper consultation reports on major consultations listing who said what and listing by topic? Finally, a comment from the Council of Ministers on the issue of trust and spin and how that particular consultation and perhaps others that I am not so familiar with personally, have been used. How the conduit, the channel of the Communications Unit, has been misused to my great sorrow and to the detriment of democracy in this Island? I hope we can have some answers before I make up my mind on this amendment. Thank you.

3.1.6 Senator S.C. Ferguson:

Just a couple of thoughts. With regard to Scrutiny and the Communications Unit, Scrutiny does its own press releases. We have officers who are totally *au fait* with the subject of the review. If you have a good officer who knows what the review is about, they will help identify the cogent factors and if they work well with their chairman, they can even second-guess the sort of quote that the chairman would put in. That produces a good, straightforward, honest press release. I suppose one of the better press officers, in my time, would be Bernard Ingham but perhaps my colleagues on the other side of the House would prefer Alistair Campbell. We talk about spin, when an author wants to get a message across he or she will weigh every word and sentence. When the Deputy - oh, I am sorry the Deputy of St. Mary is gone - puts together a proposition I am quite certain he will weigh every word so that he gets a clear message across. Why should the Government be any different? When the J.D.A. put in their application for a Rowntree grant, did the Executive not weigh every word in their presentation? You would be very careful with it but surely, by that definition, that is spin. Writing is a specialised form of communication. If you want to get your message across you take great care to write simply and coherently. Not everybody has this skill and, without wishing to insult everybody, I am certain not everybody here has. It is almost impossible to write a piece of news without including, subliminally, some of one's underlying opinions. I spoke to the editor of one of the larger English papers once about this and he said: "I try not to let my personal biases creep in but there will be a tinge of them." I think we are sort of talking about 2 things here. One is, do we need a Communications Unit and I think we do because the Deputy of St. Mary has outlined all the things they do. In which case, the argument is, is the unit trying to give an objective view but it is obviously reflecting the views of the Council of Ministers? I think if Members have a problem with that then perhaps it is something to discuss with the Communications Unit and the Chief Minister. I do not think we can do without a Communications Unit because we do need the writing skills and all the other things that they do, done. I think the Deputy of St. Mary has raised a number of interesting and useful questions and I look forward to hearing the answers.

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

I would like to quote briefly from the amendment in the final paragraph in the report where it says: "The 'work' of the unit could simply be absorbed by Ministers, their Assistants and departmental officers." This is just simply not true. In recent months, as Assistant Minister in the Health and Social Services Department, I have had first-hand experience of the Comms Unit. They have been vital in protecting the public in the current H1N1 pandemic threat, in containing the spread of the virus and educating our children and our adults alike. The Comms Unit will continue to be necessary to the H.S.S.D. (Health and Social Services Department). The Comms Unit have earned their keep this year in terms of the health of the Island. Please reject this amendment.

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

We need to take tough decisions. We are told that it is essential that the States gets to grips with its spending. We are informed that we are looking at future deficits and, above all, the public expect us to make savings. We need to ask ourselves, is this a nice to have or is this a need to have? Can the Island survive without it? I believe that this is a tough decision. However, I believe that this is a nice to have. I believe that the Island can survive without the unit and, above all, I believe the Island expect us to make savings. I will be supporting the amendment.

3.1.9 Deputy G.P. Southern:

When I arrived back on the Island, after a break, on Monday afternoon, apart from having a shock as I was sitting in the Royal Square in my shorts, enjoying the last few minutes of freedom, to be told that Monday afternoon we had to do question time and I had to dash home and get my suit on, I thought, as one does after a nice break, why am I here? **[Laughter]** Indeed and before we get several answers from the benches opposite, there is the door. Yes, to be honest, I thought it was rather a depressing thought, why am I doing this? At last, and to much relief, this afternoon I got at least three-quarters of a good answer as to why I still do this. It is for the sheer and absolute joy of listening to one of the Minister for Housing's afternoon speeches. He is so much better in the afternoon than he is in the morning. I do not know why but he seems to me to be far more entertaining and his jokes, while old, are nonetheless side-splittingly funny. So there is a reason, if for no other, why I am still doing this job and why I stand here and enjoy the performance because it surely is a performance indeed of our current Minister for Housing. What are we talking about here? We are talking about what the function of government is in terms of communicating to and fro with its electorate. We are told that the Communications Unit is absolutely essential to that. We have seen one illustration of where the Communications Unit has got it sadly wrong - and I was going to use the illustration myself but the Deputy of St. Mary has already done it - in the coverage and presentation of the so-called facts around the Imagine Jersey 2035 debate which has now, without further ado and without further consultation, become fact by repetition that we are heading for further population growth. It has become a policy. It never came to this House, it came to a meeting and a survey and was then spun and, there is no doubt about it, it was spun into a set of opinions which are now a policy. We have got a population policy, thanks to the Communications Unit or thanks for their help. There is no doubt that what we are receiving from the Communications Unit is, by and large, spin. Not spin, as Senator Ferguson interestingly defined it as. If you weigh every word in communication and if you attempt to get a clear message then, according to her, that is spin. No, it is not. Spin is what we hear regularly on our radio and read in our press from press releases that come from the Communications Unit throughout the year. What spin does is put the best interpretation possible, either on a set of facts or on - and this is very easy to do - some of the facts but not all of the facts which have been found out. Typically that happens and is best illustrated by what happens on the radio in the mornings. It is particularly noticeable, or I notice it, when it involves our Statistics Unit. The Chief Minister said: "Would we want to scrap our Statistics Unit?" and the answer to that must be no but what I do not want to hear is what the Statistics Unit is doing, interpreted through the Communications Unit and put into the mouths of the Treasury and Resources Minister or the Chief Minister or any other Minister and then re-present

it in the best possible “the sun is shining, blue skies, light” because that is what happens. Our statistician, I will not name him, is very good. He regularly puts out his report, let us say, on the R.P.I. (Retail Price Index) every quarter and he will agree to come on and do, what I call, the red eye shift on the radio, the 7.10 p.m. interview. He will present a selection of what he believes he has found, in a very straightforward way and he will put reservations on it: “Ah, yes, we need to be careful with that figure because ...” For example, in March of this year he presented the fact that R.P.I. was down to 2.1, spectacularly significant because the March R.P.I. is the figure we use for our pay calculations and there it was sitting at 2.1. He also pointed to trends in food prices and said: “We shall have to monitor and be very careful around food prices and fuel prices because they are still showing a large increase.” He also mentions, because he is very comprehensive and he is there, his job is to give the facts, but significantly R.P.I.X. (Retail Price Index excluding mortgage interest) and R.P.I.Y. (Retail Price Index excluding mortgage interest and indirect taxes) were still significantly higher. R.P.I.X. was 5.2 and also the R.P.I. for pensioners and R.P.I. low income, which are significant factors for certain sections of our society, were also equally staying high at 5 per cent and 5.3 per cent. He did exactly the same in June with the now minus 0.4 per cent R.P.I. Comprehensive, detailed, interesting and factual. Come 8.10 p.m. and he has got a little sound bite of one of those facts and we have got the Communications Unit’s interpretation of what is happening via a Minister. That, significantly, does not go into all of the aspects. It takes the best bit and presents that in the best possible light. Very often the Minister claims responsibility for having achieved this best bit. That is what happens time and time again. That is what the Communications Unit is there for, to put the best light on the figures whether they be disastrous or whether they be partial so that the Minister is seen and can present his best face. That is what happens and that is what people out there listen to day in and day out. The argument had been put forward that, of course, this is merely an aspect of centralisation and joined-up government. Of course we need somebody to put out the facts or the so-called facts, the spin on the facts, to centralise that. We have already been told by Senator Ferguson, in terms of who uses the Communications Unit, that the Scrutiny function does not. One of the reasons we do not use it is because we would have to pay them for their time and we feel we can do it, I might say, better ourselves because Scrutiny is concerned with evidence and facts. It requires that, if you are going to put out a press release, you know what you are talking about. We attempted to use an outside agency to see how it would work in terms of press releases, in terms of getting the message we want across to the public, to engage with the public and through no fault of their own - I do not criticise the unit that we engaged - it turned out to be a disaster. Why? Because officers and members, having worked on a topic, knew exactly what they found, knew what the material was, could extract far more easily; what are the important factors, what do we want to talk about to people, what questions do we want to ask of people, than sitting down with a communications expert and trying to explain what the content was so that they could work on it and do the best with it. It just simply did not work. What you get there is confusion and misleading information because the person you are engaging to put across the message does not understand the message. They understand the context in which you want the message phrased, i.e. put a smile on this and make it big. They do not necessarily understand the content. As Senator Ferguson quite correctly stated, we tend to do our press releases ourselves and, to be honest, it is not that difficult because most journalists, if you get the right format, will take what you put down as your press release and certainly, on a number of occasions, I have seen my press releases, using my words, in the very same order in the paragraphs of which I wrote them from beginning to end. Some basic rules are very simple to communicate to officers and it does not take that much practice before you get it right. One of the rules, for example, is make sure that the main thrust of what you want to say is in the first paragraph. Do not hide it in the sixth paragraph because they will not get there. Simple set of rules like that, anybody can train up in doing that and, with a bit of practice, can become very good at putting out a press release that gets the message across accurately as well as positively. This concept of “we could not possibly do it unless we had experts” is just a piece of obfuscating. It is simply not true. It is particularly important for Scrutiny that we get the right facts out there

because that is what we want to do. It is about information. It is about evidence. It is not about spin. It is not about the day-to-day horrible gritty business of doing politics, and I am afraid the Communications Unit has been dragged in by the Council of Ministers into that dirty gritty business of doing politics and, therefore, and I think quite rightly, has lost 4 of the Ministers a great amount of trust, - I do not think there was a great amount of trust there in the first place - the remaining that the electorate had in the Ministerial process and in the Council of Ministers. People out there are aware, clearly, that what they are getting often from the Communications Unit is simply spin and they no longer trust the Council of Ministers and the spin that they are putting out. It is time, I am afraid, to abandon this experiment of a Communications Unit and do it properly with far more reliance on fact and less on happy feelings, time to scrap the Communications Unit.

3.1.10 The Deputy of St. John:

I think the earlier speech by Senator Le Main ... we could see he had been a salesman at some time in the past but he does not seem to have lost a great deal of his talent. A good communicator and I believe the Senator must be a good communicator because he has managed to last in the House for some 30-odd years. To get re-elected as often as he does, it must pay dividends to be a good communicator but I do not believe the people of this Island, well I know the people of this Island, like spin. In fact yesterday in the Members' room I was talking to one of the Ministers who gives it to you, or to us, or to the Members in this Chamber, and to the people who are listening out there, as he sees it. That Member is one of the few that does this and that is the Minister for Home Affairs. He gives it to us exactly as he sees it and without any spin whatsoever. **[Approbation]** I am very grateful to the new Minister and the new Senator and I sincerely hope we can continue in that frame and he does not get taken in by fellow Ministers. I am sure he will not. To me he is a breath of fresh air because what we read, what he says in the media, is in fact said by himself. It is not being given to the media by a press officer to give the reports which frequently we now see in the media, a pre-prepared report has been given to the media and it is virtually copied as such from the communications office. We do not see investigative journalism as we did 7 to 10 years ago where in fact the journalist would be on to you and making a report and a story, and I am sure they are watching very closely up there in the little boxes on the top in the communications office. Really, we do not see. We had 4 or 5 journalists at one time who used to sit up here and they would be scribing away right the way through all the various debates. We do not see that any longer. We see one or maybe 2 in the glass box. I do not see anybody else up there today and the radio obviously has to be manned. That has always concerned me and particularly since I have come back. I am seeing less and less journalists around this building, unless obviously it is for the court case we have all read about in the last few days but that is from outside the Island. Even those spin doctors take advantage by parking their television vans in the Royal Square. You and I are not permitted to park in the Royal Square. We stopped all that many years ago and yet we have foreign journalists who are permitted to do so. I sincerely hope that whoever is responsible will stop that happening in the future. What really concerns me, we pay our civil servants top dollar. **[Approbation]** They are paid to perform at all levels, to do the reports, et cetera and brief their Ministers. It has been said by Senator Ferguson and others, Scrutiny, we have some of the best staff who deal in fact, who work very closely with their chairman and their panel members and they are *au fait* with their subjects. I would expect, and in fact I do expect the Chief Minister's Department and all the ministries, their Chief Officers should be totally *au fait* with all of their particular areas of responsibility. Unfortunately, they leave, on many occasions, something to be desired because they have to call in a number of subordinates to brief, shall we say, a visiting panel if we are doing a Scrutiny review or we are researching various areas of our particular responsibility. I would expect, given the type of money we pay which is considerably higher than most parts of the U.K. or probably Europe to our senior executives, that they should be able to do the necessary reports, et cetera, from within the department without having to employ the Communications Unit. I am not saying there is not a place, a small place, for a Communications Unit for possibly affairs to do off-Island, and as has happened recently with the possible flu

epidemic, but those are few and far between. I do not believe we should be putting the kind of money into that particular area that we are and, therefore, I will be supporting this amendment of Deputy Pitman because I believe for far too long, the Ministers and their predecessors, the presidents, were riding on the back of this white stallion, a charger, and that is not what the people of Jersey want. The people of Jersey want the Ministers to have their feet on the ground. As I have already explained to the most recent Minister, Senator Le Marquand, that is the type of representation the people of Jersey want. Somebody with his feet on the ground who knows his subject and will give it to us. We need to know everything that is going on, warts and all. We do not need any spin on it.

3.1.11 Deputy M. Tadier:

I believe that if we were given a blank canvas and we were designing a system, that we would probably all agree, I imagine that we do all agree, that the States or any government, does need to be able to communicate effectively with the public that it represents. So I suppose the question after that is, do we need a Communications Unit to do that? I am not necessarily going to answer yes or no here. But I do welcome this debate and I will say why in a moment. But I also am slightly confused perhaps, and would like to seek clarification when the Minister does sum up, as to for whom the Communication Department does work, and whom it seeks to represent, because there does seem to be some lack of clarity in that. I also heard not so long ago that it is important for Jersey to be represented internationally, and I am sure that is true. But I always thought first and foremost that the Communications Unit was in order to communicate with the public at home, and I think it also does that, and it is probably a bit of both. But I cannot help feeling there is a certain amount of duplication here, because the Chief Minister earlier said that it was very important for Jersey, and his department, through the Communications Unit to, effectively protect Jersey's reputation as an off-shore finance centre. My question is, surely Jersey Finance has been set up to do that and it is a big enough institution and it has the funding, both I believe from government, but also its own funding, to be able to do that effectively, and I would question whether it is really government's job to represent one particular industry, although I know it is an industry on which we rely very heavily. So I would like to question that duplication and whether in fact we should maybe be concentrating more on communication with our own people. The next observation is that communication is a 2-way thing, is it not? I mean, it is fair enough to think of communication, and when we think of the Communications Department, we do think of spin often being put out. I do not really have a problem with spin. I think it is inevitable that any government would want to maximise the positive aspects of its policy that it is sending out, and minimise the more questionable bits. I mean that is probably human nature, so I do not think we should be surprised that we have spin. But what is the problem, is whether the Communications Unit is there to represent the government as a whole. I should say, the government as a council, whether it is to represent the Assembly as a whole, or whether it is just there to represent the Chief Minister's Department. I do welcome this debate, I will not get bogged down too much as to whether we should disband the Communications Unit or not, because I think in many ways that is an academic question. But we could easily be asking the question, are we paying the Communications Unit enough? That may surprise a few people, because the reason I ask that is, there is an old adage is there not, an old saying that if you pay peanuts you get monkeys. Let us look at some of the things that the Communications Unit has been responsible for in the last 12 or 18 months or so. Let us just look back at the whole fiasco of the handling of the historic child abuse case, and I do not want to go into the rights and wrongs and the allegations at this point. It would not be appropriate to do so; we all have different opinions and we know that there is no clear consensus on what may or may not have happened. But let us just look on what you would have expected a Communications Unit to do when faced and descended upon by the world's media. You would have expected them to do, when they get funded £203,000 a year of taxpayers' money, that they would do a good job at representing the Island and that they would protect the Chief Minister from any kind of, what is the word, from looking stupid, basically. So you have to ask if a Communications Unit which advises,

or permits the former Chief Minister, to go out on a rainy and windy night in a dark alley, wearing dark glasses, which some have said made him look like a spiv. This is our Chief Minister, these are not my words, these are what other people have said. That it is quite correct that we have experts who are saying that it is okay for someone to go out there and represent Jersey like that, on national television, to make Jersey the centre of ridicule. You would also ask whether it is appropriate that we have a Communications Unit which advises that it is quite all right for the backdrop to be taken down when an interview is being carried out in front of the international media. When we have 2 politicians who cannot keep their squabbles to themselves and to the credit of our own Chief Minister, who did keep a low profile on that occasion, when all this was going on. Is that the conduct that we would expect of a Communications Unit who we are paying £203,000 a year?

Deputy R.G. Le Hérissier:

Sir, can I ask a point of clarification? Is there, because there was discussion at the time, is the speaker absolutely sure that when this occurred, that the Chief Minister was indeed acting on the advice or orders of the Communications Unit?

Deputy M. Tadier:

I think that is a valid intervention from the Deputy. He may or may not have been, but presumably the Communications Unit was still around at the time, and if they were not advising it, one has to ask the question, what were they doing, I think? I will really leave that just as food for thought. So either we have a Communications Unit which presumably, if they are allowing these things to go on, are failing. So either we need to give them more money or if it is not working ... and I do not think that is going to happen, is it? We are not in a position where we can fund them more, so the other proposition which has been suggested is to just disband them completely, have a complete rethink about what they do and who they serve, and then once that has been answered, we find out what is needed. But just to talk about the elements of spin and the allegations. As I said, there is nothing surprising about spin, we would all do it I am sure, if we were in government. That is what governments do, that is what human nature is, apart perhaps from the Deputy of St. Mary and Senator Le Marquand; because they have greater moral fibre than the rest of us, I am sure. **[Laughter]** But this is what governments do. When publications are going out, which, if they are going out on behalf of the whole Assembly, and when you see justifications and prints going out in the *J.E.P.* or wherever. Whether it be on G.S.T., Zero/Ten, or other things which maybe the majority of people believe. If they are being communicated as being the opinion of the whole of the States and every Member therein, that is certainly problematic. We get leading headlines like: “Why do we need G.S.T.?” and “How will Zero/Ten work?”, whereas if it were to be truly objective, it should be: “Do we need G.S.T.?” and not: “How will Zero/Ten work?” but: “Will Zero/Ten work?” Because we know that there is considerable doubt about that idea as well. So I will leave it like that. I think there is hopefully a bit of food for thought, and I will not tell anyone how I am going to vote, I will leave you to guess.

Senator J.L. Perchard:

Sir, can I give notice of my intention, or will you accept that I intend to give notice of my intention to propose closure on the debate on this amendment? We have got a huge agenda to complete **[Approbation]** and I think we are getting bogged down here.

The Bailiff:

Very well, you have given notice Senator, yes. Senator Ozouf?

3.1.12 Senator P.F.C. Ozouf:

I am sure that we will come shortly to Senator Shenton’s amendment, and I will say that I think that it is very difficult when we are faced with a kind of choice situation, in the way that it has been described, is it respite care or Communications Unit? I think that sort of question before the Assembly is very difficult but we want to find a solution to Senator Shenton’s proposals and what

he is asking for, but we will come to that. I do regret, I have to say, the remarks in the introductory speech of Deputy T. Pitman. I know the people in the Communications Unit, and I know that they are hard-working, I know that they are dedicated, I know that they do the best job that they possibly can. With the greatest of respect to Deputy T. Pitman, and I know that he cares about public sector workers, if his problem is about what is being said by the Communications Unit, then that ultimately has to be the responsibility of Ministers. I think it is very unfair to cast aspersions on the professional integrity in the way that Deputy T. Pitman has, and I hope that he will retract some of the - I think if they are listening, which I am sure they are - some of the statements that he made. I also accept that the Communications Unit is not universally liked or accepted by the media. Of course that is going to be the case, particularly when dealing with the commercial media. They do not like frankly, direct communication between the States and the people that buy their newspapers. I am not saying I am against the newspaper, of course we need a plurality of media, we need competition, we need good, vigorous debate. The media have a vital role in providing also a role of scrutiny and investigative journalism, et cetera. But we also must accept that the world of communication is changing and we, as the States of Jersey, in the way that we communicate, in the way that we engage, have to change. The Deputy of St. Mary was absolutely right when he commented on the fact that the Communications Unit had run 30 consultations. Consultations are designed to try and find out what people think, and I think one of the issues that we face in Jersey is the difficulty that we do not have political parties in the sense that we do not have an election and then there is an executive that is implementing a manifesto. We have a system of democracy which I think is a better system, which is constantly, or is supposed to be constantly, engaging and asking people what their views are. We need facilities and we need mechanisms in order to do that. Maybe Ministers can be criticised and I realise that such debates are an opportunity to give the Executive and to give the Council of Ministers a jolly good kicking, and you know, that is part of the political cut and thrust. But we are also responsible for a £750 million organisation that provides services, that makes decisions, that closes roads, that provides information campaigns, on health campaigns, provides training, it closes schools, and everything else. There is a need, in order to have an ability to communicate and to transmit information. I do understand the point about people's concern about spin. But that happens on both sides of the debate. I will say that some of the information that is put in the cut and thrust of political debate by the J.D.A., or by individual members, is spin too. Spin is a different point of view and some person's spin will be another person's different point of view. So I think we need to be realistic about what we are talking about when we are talking about the cut and thrust of political debate. I am going to say 2 further things about Deputy Tadier, who I thought raised some very important points, and I also think that a number of Members, including the proposer of this amendment, probably really know that you do need a Communications Unit and all governments and all organisations such as the States of Jersey, need a Communications Unit. I would ask Members that are sitting here maybe thinking that they one day will be in the Executive and Ministers and doing their job, whether or not they would survive with an organisation without some form of professional communication advice to organise press conferences, to run consultations, to put information on websites, et cetera. Maybe we can do, and maybe we should do more, about for example, sending out press releases to all States Members, to see exactly what the media is getting, because we are media-ed, we do have a commercial TV station, a commercial radio station, a newspaper, and all sorts of other new media, which are constantly commentating, almost on a 24-hour basis, on what is coming out of the Council of Ministers. I know that the Minister for Planning and Environment routinely sends all press releases out that go from his department. I know the Minister for Housing sends out information. Maybe all Ministers should subscribe now to the policy of issuing Members with press releases, and sometimes also adhering to the standard of making sure that States Members get information first instead of ... Because there have been criticisms whereby the media has had to be pre-briefed where embargoes are made, where for example, the Business Plan was given to the media ahead of time and I accept fully the difficulties in relation to that. But sometimes in order to get journalists to read the documentation and be able to comment on it properly, embargoed reports

need to be sent out. Maybe there are a number of points that need to be taken back, that we need to talk to the Communications Unit about. The Communications Unit is not simply there to serve Ministers; it is not there to serve Ministers in their political duties. There is a debate and there is a problem about the fact that we as politicians should not be using States facilities as members of the Executive to pursue political policy issues. We are there and they are there to communicate the decisions on implementation. That is what their primary role should be. Just returning to that important point that Deputy Tadier made. He asked whether or not there is a duplication between the work of Jersey Finance. Jersey Finance is effectively a marketing organisation. They should not be, and I feel quite strongly about this, they should not be the voice of the Jersey Government internationally. When we are communicating with media internationally, in the U.K., it must be the case that we communicate directly from the States of Jersey, not through Jersey Finance. That is a whole other debate about what we put in terms of resources in Jersey Finance, but that really must be a government issue. I think it would be wrong to send out the message that a marketing company which is also responsible for lobbying the government in other areas, is sending out government communication. There is a real issue, and Senator Shenton said he did not know what the Communications Unit did. He was a Minister for 18 months, I do not know what he was doing in terms of perhaps understanding, I am not criticising him, but they do do a lot of public health campaigns as Deputy Noel has said. As Minister for Treasury and Resources, this is an important and a difficult issue. If I really believed that we could cut £200,000 from the Communications Unit, and it would be a real saving, then I would be grasping it. I have to say to Members that I would far rather know where the communications expertise is centrally based in the States of Jersey, rather than it being, inevitably inefficiently, deployed in individual departments. I was one of those individuals that suggested that instead of individual departments employing their own communications person, of which some departments have a huge amount of communication requirement, whether it be information on planning applications, information on planning policy, T.T.S. on road closures or all sorts of other things. I would prefer to see, as I normally prefer to see, a joined up, corporate approach in relation to these issues to make sure that they are not. If we cut the Communications Unit, communications requirements are not going to go away, as I think Deputy T. Pitman understands, they will simply be hidden away in departments and they will be delivered in a far more inefficient way, and I suspect that departments will be forced in order to go out and buy communications advice where I do not think we should do it. I think we can do it more efficiently and I think we can do it more efficiently centrally. This is a difficult issue, it is a good opportunity for Back-Benchers to give the Council of Ministers a kicking, but I do think that it is realistic that an organisation, that a government such as the States of Jersey, does have expert communication, does have professionals in order to translate sometimes complicated information into plain English. Because at the end of the day, that is half of what they do, and the other thing they do, is they help us speak for Jersey outside. They organise things like interviews: I did an interview with an *Observer* interviewer the other day. All that takes a tremendous amount of time to set up. We are increasingly having to comment with different newspapers and media organisations across the world. If Members want to see what the Communications Unit do, then we should open the Communications Unit up to allow Members to see it and so that they can see the good work that they do and the important role that they have both domestically in the Island and internationally. I urge Members not to disband the Communications Unit and engage effectively in what would be a false economy.

3.1.13 The Deputy of Trinity:

My view, and I am speaking from the Health and Social Services points of view, is that they are invaluable, and I cite one special event really, that Deputy Noel led on to, the pandemic flu, H1N1. I do not know if members just realised that I sneezed, and I am pleased to say that I sneezed into my tissue, but looking around this House, everyone looked at me and said ... make sure I had a tissue type of thing. I am pleased to say, I did. But more importantly, that message came across that we, at Health and Social Services, wanted to do that campaign of: "If you sneeze, kill it" or:

“Catch it, kill it, bin it”. That message is so important, and has been able to be done throughout the Island, in schools, in elder organisations, with the help of the Communications Unit. And by 6 Members here pointing at me, it really shows that it does work, and it shows that the message has got across. That message is so important, because without that message getting across, we would not be in the containment phase that we are still in. That is vital; if we were not there we would be in a totally different scenario to what I am talking about today. But that message takes time to get across. It is not just send it out once and that is it. It needs to be followed up, that message needs to be continued, and with pandemic flu - I know I am going on about pandemic flu because it is an ideal example - that not only getting that message across about those things, but also that we know we have had cases cited in schools, that message to all schools needs to be sent out immediately. Next day, following day, that is too late, it needs to go out immediately when we know that information. That is where the Communications Unit comes into its own, without a shadow of doubt, that they are there, they know how to respond and they do it. We all know what a good job they have done with that. I think I have finished there about the pandemic; I cannot re-emphasise about that campaign. Regarding public consultation, if we did not do proper consultations, we as Ministers for Health and Social Services and I as a Minister, will be ... It will be said that we have not done a good job: “You have missed out this.” We should have done this, and we should have done, by other States Members, and quite rightly. It is important that everything that we do is done correctly in consultation, and that is where the Communications Unit gives valuable advice. I urge Members please to support that Communications Unit.

3.1.14 Senator S. Syvret:

Samuel Johnson famously, very famously, said that patriotism is the last refuge of the scoundrel, and I was very strongly reminded of that quote when listening to the speech of Senator Le Main earlier in the debate when he launched into his patriotic diatribe against the proposer of this amendment. We have heard some similar things, I think, from the Chief Minister, unfortunately - one would have hoped perhaps for a little better from him. The message we have from the Council of Ministers today, and those who oppose this amendment, is that somehow if you believe that this money would be better spent on, for example, respite care, or some other good cause like that, rather than spending it on the spin unit, you are unpatriotic, you are an enemy of Jersey, you are a threat to the welfare of the community. Of course it is absolute nonsense, and it is precisely the very kind of dangerous nonsense that one does associate with spin and propaganda. One does not need a great study of these things and these techniques to see that device at use in the debate today. I think it was Goebbels who originated the concept that, in order to persuade people and convince them, your lies had to be plausible. Just kind of twist and a distortion of people’s preconceptions, and that was how you drove their opinions along. I can recommend some very good books to Members if they are really interested in this kind of subject. For example, *PR!: A Social History of Spin* by Stuart Ewen; or *Manufacturing Consent* by Chomsky; *Necessary Illusions: Thought Control in Democratic Societies*, also by Chomsky. All of these books describe the devices, the techniques of inducing the consensus trance in the population, and we have seen those techniques used in Jersey, as has already been explained and touched upon, I think, very well, by the Deputy of St. Mary and others, the whole Imagine Jersey process. I, at the time, and others - I think the Deputy of St. Mary did - took issue with that process, that methodology. This, in the eyes of the Council of Ministers and the Policy and Resources Committee, as it was then, was “good communications”. This Communications Unit and the money and resources we have put into it, were serving the purpose, the function there, of simply helping to properly communicate and properly engage with the public, to consult with the public. But of course, anyone who does read some of the books I have mentioned, that takes the trouble to familiarise themselves with the methods that are used, would have seen that the Imagine Jersey events were exactly a textbook, an absolute textbook, templated version of a manufacturing consent exercise. This was a process that was designed to induce a fake public agreement with, a spurious and misled public agreement to, a preconceived, preordained policy. It was an absolute textbook manoeuvre, so transparent was it. In

fact, so transparent was it that it, like a couple of other issues I will touch upon, does I think have to make us, even if we supported this unit, cast very, very serious doubts on its competency. But I want to ask a more fundamental question of the Communications Unit. Is the money, the taxpayers' money, that we spend on the Communications Unit, being used as the Council of Ministers would have us believe, to further and promote the general, broad, objective good of the people of this community? Is it being used for that purpose or is it being used, has it been used, to promote and peddle and spin, basically what is a de facto party political position? To spin and propagate the ideas and political views of the Council of Ministers. The evidence, I would suggest, strongly declares it is that latter. Senator Ozouf said when he spoke: "We all spin," and he was right about that because politics is, as used to be said, the art of communication, but communication of course, is spin. But I was very struck by what Senator Ozouf did not go on to say, which is that while we in politics may all engage in spin, we do not all use large sums of taxpayers' money to do it. We do not purloin the hard-pressed taxpayers of Jersey to spin and manipulate the media, and indeed, manipulate the public, in order to promote our particular political objectives and ideologies. If I want to get a story into the media, I have to phone them up, I have to send them emails, I have to speak to them and communicate directly with them; that is what I have to do. You know, quite remarkably, I have found when dealing with the media, if you do want your message to get across successfully, there is a very, very simple technique that usually works very well with most media and most journalists, and that is called honesty, straight speaking, facts. You will find generally that most journalists tend to like that, and I did in fact offer, at the time of the train wreck that was the child protection controversy, I did offer, a little tongue in cheek perhaps, to save the then Chief Minister, Senator Walker spending all that taxpayers' money, and I would advise him on his P.R. and spin for him. Such a disaster was the Communications Unit at that time. That episode, and it has been raised by other Members, is important I think, for Members to focus upon, because it was that episode and the use to which the Communications Unit was put and the things it did and said, not just in that particular comparatively short period of heightened media exposure, but over a longer period of time behind the scenes. It is that activity we have to ask a basic, fundamental question, a moral question: was that activity even vaguely in the public interest? I am in a position to tell Members that no, it was not. I heard Deputy Tadier earlier, asking the question as to whether the Communications Unit was involved in the infamous events of St. Martin community hall. Yes, they designed and arranged and organised that particular event. To illustrate how inept it was, and how irresponsible, not content with having had the Monday, that was a series of utter train wrecks of catastrophic proportions, that you can still go and watch on YouTube, in media interviews. Not content with that, at the advice of the Communications Unit, Senator Walker decided a couple of days later to call a press conference, the one that took place at St. Martin, solely for the purpose of trying to denigrate and smear me. I knew this was happening because lots of the national journalists phoned me up and told me so. They were saying to me things like: "What are these people doing, are they crazy? You know, this is just like an absolute disaster. Have they taken leave of their senses?" I said: "No, I mean, you are dealing basically with a group of people that are used to an entirely placid, passive and unchallenging local media, so they have got no idea, frankly, what they are dealing with." The journalists said to me: "Well, you know, we are not going to sit there and be merely spoon-fed one side of the story, we want to hear both sides, so will you come along, please, we would like you to go, Sir, to this event and take part in it." So I did, and Members again, can see the results on YouTube. One of the members of the Communications Unit snatched a chair out of my hand before I was able to sit down; but I was able to grab another chair and sit down, although the gentleman in question did try hauling on my shoulder to pull me away for a few moments.

Deputy M. Tadier:

The Senator just mentioned a YouTube site. Would he be able to give a reference of what people should type in if they want to find those so that they can follow the debate?

Senator S. Syvret:

I think you probably just do things like type in keywords such as “Jersey”, “press conference”, “Walker”, “Syvret”, things of that nature. I suspect you will probably find the relevant clips on that occasion. But what most struck me about that particular event was not the mind boggling misjudgment involved in doing it and again, the error of making a partisan political point out of what was a very, very grim subject. When the time came for the assembled international press panel to ask questions of Senator Walker - and he was not prepared to stay and debate with me - he said that he would take a few questions before departing. When the media began to ask the questions the member of staff from the Communications Unit, a female, began shouting and interrupting these journalists, and they were looking at each other, you do not see this, you did not have the benefit of this on the cameras, but they were looking at each other and falling about laughing. They were absolutely falling about laughing. You had a Jersey spin doctor, being paid very substantial sums of taxpayers’ money, trying to shout down Sue Turton of Channel 4 News and tell her what questions she could or could not ask us. It was absolutely farcical. But you have to ask yourself, why was all that taking place? Was that exercise a use of public money, a use of resources by the Communications Unit, that was broadly for the overall public good of the people of Jersey, the people who are paying for it, or was that merely a catastrophically misjudged effort to try and promote a particular political faction and to try and help them recover some of the damage they had done to themselves? I suggest that it was very much the latter. I think it is also the case that if one looks at the kind of rules and regulations that apply to the use of taxpayers’ money for communications in the United Kingdom and many places, you would see that it is very, very strictly regulated and you are not in fact allowed and enabled to use taxpayer’s money for what are de facto party political purposes. But it got worse than that, because that was merely the froth on the top. This is the nature of what it is we are dealing with here, which is why I will certainly be voting for the amendment. The Communications Unit runs campaigns behind the scenes - if they are being successful one is not usually aware of that - and they have run all kinds of campaigns and exercises behind the scenes, and they did so during that particular episode. The work of the Jersey Communications Unit, funded by taxpayers, involved carefully structured, lying smear campaigns against a variety of individuals, myself included, which were peddled to a variety of national journalists and again, we know this because it came back to us. We know that complete falsehoods were told; we know that journalists and news editors were lobbied with absolute fictions or half-truths or omissions; and for example, we know for a fact that Jersey’s Communications Unit took emails originally written by the former O.C.I. (Office of Criminal Investigation) of the abuse investigation and altered them, manipulated them. Essentially, forged them. Took his emails, forged them to make it appear as though he had written and said something he had not and then gave those to national journalists.

Senator T.A. Le Sueur:

I do not think the Senator can make those allegations without substantiating them.

Senator S. Syvret:

I am very happy to do that, and if the Chief Minister wants to speak with me afterwards, I will explain all about it.

Senator J.L. Perchard:

It is not just the Chief Minister who would wish to have these allegations substantiated. I think the House deserves evidence of these very serious allegations.

Senator S. Syvret:

I am very happy to deliver that evidence. I do not have it with me, but I am certainly very happy to provide it. That is what was taking place, this Communications Unit funded by taxpayers was basically lying, forging emails, manipulating, smearing, engaging in distortions, half-truths, and

propaganda, basically, none of which was designed to be of general good to the people of Jersey. This was designed purely to protect the Council of Ministers of the day, to protect the image and the reputation of the Jersey establishment. That is what all of this public money was being used to do. That is why I was particularly reminded ...

Connétable D.W. Mezbourian of St. Lawrence:

I wonder if the Senator would give way for the moment, please. I am sure other Members are particularly perturbed to have heard that the Senator has just told the House he purports to have evidence which I think I would like to see before I come to a decision as to which direction I will go with this, [Approbation] and I would like your guidance Sir, as to whether we can stop the debate or deal with it as a matter, to allow the Senator to produce his evidence to the Assembly.

Senator T.J. Le Main:

It is so serious that I seriously think that the police should be involved here because there is a criminal allegation by the Senator.

The Deputy of St. Mary:

I second what Connétable Mezbourian said.

The Bailiff:

I think that we are in the midst of a debate. It is for Members to prepare themselves, I think we have to carry on with the debate. Clearly, Members wish to hear substantiation of what the Senator is saying, and if the Senator can provide this material in good time, so be it, but I do not know that we can stand matters over until that is done.

Senator S. Syvret:

Senator Le Main referred to getting the police involved. The new management of the police force are involved already, and they are on the side of it, and that too is demonstrable. Indeed, I already touched upon that the other day, which did not go down too well either. But this is what we are talking about: we are talking about a very substantial sum of taxpayers' money that is spent and that is used, not in the interest of good communication, of just generally helping the people of Jersey to understand what it is their government are doing. What we are looking at here is the use of a large quantity of taxpayers' money to basically spin, manipulate and engineer events politically, to the interests of and to the benefit of, the Jersey establishment. Even if, as some Members will no doubt believe, we do need to have a Communications Unit, this particular Communications Unit, both because of its incompetence, its ethical bankruptcy, its immorality and the uses to which it has been put politically, has to go, which is why this amendment should be supported and must be supported. This particular Communications Unit and everything to do with it, is no longer credible. It is not viable, it has to go. It may be that the Island does need a Communications Unit, but we have got to clear the decks and start from scratch. We need a Communications Unit that is objective, that is impartial, that is bound by ethical codes, and one that cannot be, perhaps at law, used and misused for what are basically de facto, partisan, party political purposes. We have to clear the decks, get rid of this disgusting farrago and start afresh.

Senator A. Breckon:

I wonder in view of the speech that Senator Syvret has just made ... I am minded to propose the adjournment now, because allegations were made. The Senator said he has evidence; perhaps that could be produced overnight, because I - and I am sure with others - believe that if that is the case, and there is evidence, I would certainly like to see that before I make a decision. [Approbation]

The Bailiff:

It is clearly in order to propose the adjournment.

Senator S. Syvret:

Could I also point out that there is other evidence, additional evidence, which is in the possession of the Chief Minister's Department. For example, emails that were sent between the former O.C.I. and the Communications Unit, and indeed that were then sent on to journalists working in the national media, for example David Rose and other journalists, who are noted campaigners and part of the child abuse denial movement. So there is other evidence within the Chief Minister's Department.

Senator A. Breckon:

I wonder if the Senator can produce anything.

The Bailiff:

Senator, I think you are being asked whether overnight you can produce this evidence you have.

Senator S. Syvret:

I can produce some evidence, yes.

Connétable P.F.M. Hanning of St. Saviour:

Before the adjournment is proposed, could I raise the subject of the Connétable of St. Martin, who was declared en défaut this morning. I have been in touch with him and he is ill, and I wonder if he could be declared malade?

The Bailiff:

Did you know this, this morning?

The Connétable of St. Saviour:

I did not know this until this afternoon.

The Bailiff:

I see, because I think he was declared malade yesterday, was he not?

The Connétable of St. Saviour:

He was, but he was declared en défaut this morning.

The Bailiff:

I would have thought in the circumstances, if you are prepared to just take the necessary oath, Connétable? **[Oath taken]** Very well, so the adjournment is proposed.

Deputy I.J. Gorst:

Perhaps, just before we adjourn, I wonder if I could call upon the Chairman of P.P.C. to give an indication of how she feels we are going to play the rest of the business as we have only got 2 days remaining of this sitting, and yet we still have what seems to be an overwhelming amount of business to get through.

The Connétable of St. Mary:

I was attempting to come forward with a game plan, but unfortunately I have not had the time to put it all together. There are only the 2 days left aside for continuation, that is tomorrow and all day Friday. I have had a call for Saturday and Sunday, that will be in the hands of the Assembly. If there is any way to conduct the business by the end of Friday, of course that is the most optimum thing. Otherwise I believe there will be no alternative but to carry forward the business for 2 weeks to the next scheduled sitting.

Senator P.F.C. Ozouf:

We will need to have discussions because there are conclusions of the Business Plan which factor into budget considerations, and we are already on a tight deadline. So I would urge the Chairman of P.P.C. to give urgent consideration to the fact that if we do, and I do think people need to be briefed, but we need to carry on on Monday and Tuesday, otherwise the functions of government simply cannot continue.

Deputy M.R. Higgins:

I must also point out to the House that the Economic Affairs Scrutiny Panel is conducting the last of its hearings on Monday and if we wish to discuss depositor compensation on the 20th we need to be able to carry on with our hearings, which are taking place at lunchtimes and evenings as well, to meet the deadline.

The Deputy of St. Mary:

Can I just add a bit of oil on the water? If you look at this document which has been helpfully provided, if you look at some of the later things, in the same way as happened with the Strategic Plan, a lot of the later things are more or less ratifications of things that we have discussed earlier and they are the little touching up, the technical things. So I mean, there are major debates, but I am not sure that it is a crisis moment. Obviously, we need to think about this, but I am just saying, a cautionary note on how critical the situation is.

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

Could I make a suggestion that maybe we start a little bit earlier, shorten the lunch break, and worked half an hour later, we might get it done in the ...

Deputy M.R. Higgins:

Once again, in response to that, there are hearings being held in lunchtimes as well, so it is impossible to do.

The Connétable of St. Mary:

In the effort to bring this to a conclusion, I am grateful for the Deputy of St. Mary's optimism. I have been in the Assembly a little longer than he has, perhaps I do not share it. I will undertake to give this great thought overnight and come back to the Assembly first thing tomorrow at the start of business.

The Bailiff:

Very well, chairman, that is obviously the right thing to do, to take such consultations as you need to with those who have interests and to try and help the Assembly tomorrow morning.

Deputy A.E. Jeune of St. Brelade:

Could I just ask for something to be clarified? Senator Syvret did tell us that he would be able to produce the information, and I am very grateful to him for that, but could he confirm that we could have it overnight so that we have it tomorrow?

Senator S. Syvret:

There is a variety of different types of evidence in my possession. I can probably email some of it electronically to Members in the course of this evening, but other parts of it, obviously since my arrest and the police raid and things of that nature, the vast majority of my records, which are kept in hard documentary form in any event, are no longer kept in Jersey.

Deputy A.E. Jeune:

But if it was information ...

The Bailiff:

Senator, let me be clear. I had understood you to say that you could produce some evidence overnight.

Senator S. Syvret:

I can produce some evidence, but I cannot produce all of the evidence because there are substantial quantities of it which I have had to take measures to stop the police from stealing it.

Deputy A.E. Jeune:

If it was the information in relation to the Communications Unit, I would be grateful, thank you.

Deputy M.R. Higgins:

I would also hope that if Senator Syvret could identify some of the material that he said the Chief Minister has forwarded to journalists in the U.K., that that should be brought forward by the Chief Minister as well.

Senator S. Syvret:

I will email the Chief Minister and describe to him the evidence in question.

Senator T.A. Le Sueur:

Since I have no knowledge of the documents he is talking about, it might be simpler if the Senator was to provide that information direct to States Members.

Senator S. Syvret:

I said there was additional information that is in the possession of the Chief Minister, and it was that information I am suggesting that he in fact could produce for Members, and I will email him as to that information.

The Bailiff:

The Assembly therefore stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT