

7. Questions to Ministers without notice - The Chief Minister

7.1 Deputy T. M. Pitman:

I hope data protection is still within the Chief Minister's sphere. Could he then give me an answer to this? He has been quoted, perhaps incorrectly, that he is satisfied with the outcome and utilisation of public funds in regard to the secret thought process against former Senator Syvret. What I would like to know is that given the reality is- and I will not mention any names obviously - one of those people faces allegations from at least a dozen, I think might be as many as 15, 16 victims of Haut de la Garenne that he abused them, another has numerous allegations lodged with the police of quite appalling internet abuse, harassment, defamation, yet they have never been prosecuted. Is the Chief Minister happy and content that the public's money has been spent in support of such an action?

Senator L.J. Gorst (The Chief Minister):

Yes, I am confident that the Data Protection Office acted in accordance with its statutory powers as agreed by this Assembly when the Data Protection (Jersey) Law was adopted. The complaints were judged to be valid and therefore it is entirely reasonable that they should have been pursued. I think the judgment of the court upholds that opinion.

7.1.1 Deputy T.M. Pitman:

Supplementary, please? Could the Chief Minister then outline for us, given a judgment has now been made, how much taxpayers' money has been spent on this case?

Senator L.J. Gorst:

It is unusual and not normal for the Chief Minister to make such an announcement about the costs of a case. Having said that, this particular case has been the subject of a number of questions in this Assembly and therefore in this instance, because of some of the astounding amounts which have been bandied around, it is right for me to outline the costs that have been incurred by the Data Protection Office in regard to this case. Of course, this does not include the normal operating costs of the court. Since 2008 - that is over the course of 6 years - legal costs incurred have been just over £387,000. I intend, during the course of this afternoon, to issue a statement in that regard.

7.1.2 Deputy T.M. Pitman:

Do we find out what the operational costs were, which are going to be quite astronomical, I believe?

The Bailiff:

You have had 2 questions already, Deputy Pitman, I think we will move on now. Senator Farnham.

7.2 Senator L.J. Farnham:

I just want to briefly return to the subject of the French blacklisting of the Island and I was pleased to hear the answer the Chief Minister earlier and that the Minister for Treasury and Resources will be providing a portfolio which will go some way to rectifying the matter. What I want to ask the Chief Minister is does he agree that it is probably of higher importance the way in which the French approached it? It seemed to be rather high-handed that there was no notice period given to rectify any problems there may have been. Would the Chief Minister agree with that and undertake to address this relationship matter together with the Assistant Chief Minister as soon as possible?

Senator L.J. Gorst:

At Ministerial and at official level we have already expressed our disappointment and concern with regard to the announcement that we were to be included from January as unco-operative. Those comments have been made and now we need to move forward to resolution to ensure that we do not get listed in January of next year.

7.3 Deputy S.J. Pinel of St. Clement:

Can the Chief Minister give the Assembly an update on the situation with lo-lo (lift-on, lift-off) transport to and from the Island following the demise of Huelin-Renouf and is a private consortium still involved in progressing this urgent matter?

Senator I.J. Gorst:

Sir, as you said earlier in this sitting, unfortunately it appears that Members did not necessarily enjoy their holiday season in the way that they might have liked to. There were a number of issues going on during the course of the summer which meant a number of Ministers, some on-Island, some off-Island, had to remain in touch via electronic means and via the telephone. With regard to this, this was one of those particular issues.

[12:15]

I believe that Members were briefed fully by the Minister for Economic Development and were satisfied with the work that was undertaken prior to the public announcement and the work that is continuing to be undertaken and supported. Ministers recognise the importance of competition with regard to ro-ro (roll-on, roll-off) and lo-lo and the Minister for Economic Development and the port authorities are doing all they can, (1) to support such a private consortium and (2) obviously Members will have seen applications for licences being published in the *Gazette* and Members will have seen a current operator extending the provision of their services, all of which are to be supported.

7.4 Deputy M. Tadier:

Is the Chief Minister a supporter of greater cultural diplomacy including but not limited to the potential upcoming Island Games in 2015?

Senator I.J. Gorst:

Absolutely, I am. They, I believe, are going to be an important event in Jersey's calendar. The Minister for Treasury and Resources has had extensive conversations with the Education, Sport and Culture Department and we will, in due course - I am not exactly sure of the timing - be announcing what that programme... (I am just informed that it will be the end of October) be announcing a full programme of support and activities which, I believe, will lead to an Island Games of 2015 of which we can be proud, preparing Islanders for those games, the Games themselves and the legacy of those games.

7.4.1 Deputy M. Tadier:

Supplementary? I thank the Minister for that. I think on that issue we are of one accord. Does the Chief Minister believe that there is also scope within the whole move towards greater cultural diplomacy for a single and, perhaps, sizeable centre which could be used in what I would call a polyvalent capacity for various different arts, multi-functional, which could be a gallery but not limited to ... and also an arts centre and *et cetera*? Is that something which he would give his support to if an appropriate package and location could be found for that?

Senator I.J. Gorst:

I said that the announcement with regard to the Island Games would be the end of October; actually it will be 8th October in the Budget. The Deputy makes some very good points. I suppose I could have waxed lyrical about cultural diplomacy. I think it is extremely important wherever I go in the world; people are interested not only in our financial services but also in our

culture and our history and in the creativity of the Island. With regard to the specific idea of a centre, that the Deputy refers to, I understand that it is already being looked at and reviewing of facilities has already taken place by Education, Sport and Culture and I think it is probably being led by Deputy Bryans, the Assistant Minister for Culture.

7.5 Senator S.C. Ferguson:

Sorry, I was temporarily out and I hope I am not repeating anything. In the recent court case involving the former Senator Stuart Syvret, why was the Data Protection Law used in what appears to be a libel suit and what is the estimate of the total cost to the States over and above ... we have been given an estimate for the Data Protection Department, what is the total cost estimated to be?

Senator I.J. Gorst:

As I said in my previous answer the cost that I outlined was for legal costs, the legal costs of giving advice to the Data Protection Office. Of course the Data Protection Office has a budget, which is approved by this Assembly, and the functions of that office and staff are carried out within that budget and of course the Court Service itself is given a budget, which is approved by this Assembly, and the running of the courts are met from within those costs. I do not know whether you have a daily cost per unit of court sitting or how it works, I suspect not, but I think that is the information which the Deputy is asking which I do not have readily to hand.

7.5.1 Senator S.C. Ferguson:

Supplementary? The Minister has not answered the first part of my question, why was the Data Protection Law used, according to the reporting in the press, in what appears to be a libel suit?

Senator I.J. Gorst:

The Senator will probably be aware of the *Chapman* Report and some of the issues raised in that report with regard to duty of care and it happened in this case that the attributes, I suppose, one could say of the case, fell within the Data Protection Law that we, in this Assembly, approved.

7.6 Deputy J.M. Maçon:

With the closure of many businesses over the summer, when the Chief Minister was elected, his tag line was “jobs, jobs, jobs”. Does he feel that enough has been done in order to produce those jobs that are necessary for Islanders and if not what further changes would the Chief Minister like to see implemented?

Senator I.J. Gorst:

I am on record as saying, and I hold that unemployment is important because it affects individuals and families and every person on the unemployment list is one too many because they are not active and effective members in our community. It causes all sorts of future problems to them as an individual, to their family and ultimately to the community. That is why getting people into work was and remains a top priority of this Government. The Deputy also notes the number of businesses which, due to the recession, have sadly had to close. The Deputy will know that Social Security have an active policy when engaging with such businesses to support those individuals who are being made redundant to enable them to access benefits, if they are entitled to it, to support them into other employment. So a lot is being done in that regard. The Deputy will also be aware that a number of other schemes have recently been announced coming towards the end of summer recess, and since the summer recess, so Ministers are not complacent. They continue to innovate and produce new schemes. I think that we can be pleased that the number of unemployed has not risen as was anticipated when we were looking at the economic data at the start of this year so unemployment numbers have remained flat. That is something that we can be pleased about but we must, and we continue to do more, because we recognise that we want to get people back into work because it is so important.

7.6.1 Deputy J.M. Maçon:

Supplementary? Can the Chief Minister give an indication to the Assembly about what that more is intended to be?

Senator I.J. Gorst:

Hopefully the Deputy has seen the announcements that the Minister for Social Security has made coming out of the Back to Work Group. We have also seen the Minister for Economic Development making announcements about training, grants as well, which will help people to get future jobs. We have seen the charity scheme which is getting people into work experience because we know that from work and from a piece of work experience it is far easier to get back into work. We will be seeing changes to the Jobs Grants Scheme as well. We continually ...

The Bailiff:

A concise answer, if you would, Chief Minister.

Senator I.J. Gorst:

I was asked for further information about various schemes.

The Bailiff:

I know you were.

Senator I.J. Gorst:

It is important that Members understand the amount of work that is being undertaken but we keep all these schemes under review to make sure they continue to work.

7.7 Deputy G.P. Southern:

The Minister did not quite make 15 minutes there. In the light of ...

The Bailiff:

Well, to be fair to the Chief Minister that depends upon the sort of question he is asked.

Deputy G.P. Southern:

In light of the proposal for long term care which contain a figure for net immigration of 350 persons per year, when will the Chief Minister come to the Assembly with a policy for controlling population with figures for net immigration that have the backing of the Council of Ministers?

Senator I.J. Gorst:

As has been said by my Assistant Minister in answer to questions prior to the summer recess, the Council of Ministers is working on a long term strategy and gathering statistics and information and out of that will come forward the Population Policy but we will, in very short order, I believe, be proposing that we look at the Population Policy within the Strategic Plan and bring that in the short term.

7.7.1 Deputy G.P. Southern:

Will what the Chief Minister is referring to contain figures for controlling net migration?

Senator I.J. Gorst:

We are already controlling jobs and housing and a number of Members contact, on a weekly basis, my Assistant Minister because they believe that they are being too tough with regard to numbers and approvals. So we said when we started on this process of strengthening our controls that it would not always lead to easy decisions and that is exactly as it has been but that

is what I believe this Assembly wants and that is what the Assistant Minister and the Migration Advisory Group is working towards.

The Bailiff:

Very well, that brings questions without notice to an end.

The Connétable of St. John:

I had my light on twice.

The Bailiff:

You were next in line, Connétable, but...

The Connétable of St. John:

If the Minister did not waffle so much he might have had time.

The Bailiff:

Well, no I have to say the question, particularly from Deputy Maçon which was asked, was one which invited a long list of things.

The Connétable of St. John:

He waffled. He gave us the information that was already in the public domain and he waffled for about 2 minutes.

The Bailiff:

It depends on the focus of the question, Connétable.

Very well, now we come then to Public Business.