

# STATES OF JERSEY

## OFFICIAL REPORT

### FRIDAY, 12th DECEMBER 2008

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

**Senator B.E. Shenton:**

Approximately 100 people in Sark were made redundant last night, Sir, following the election. As Members will know, there is no Social Security in Sark. I think this will be a fitting time for the Chamber to send out a clear message of support to our sister island at these times. **[Approbation]**

**The Bailiff:**

I think the Assembly has spoken in response to Senator Shenton and would the Assembly wish me to send a formal message to the Seneschal? **[Approbation]** I shall certainly do that during the day.

**APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

**1. Minister for Education, Sport and Culture:**

**The Bailiff:**

Now we resume with the elections for the Minister for Education, Sport and Culture. All nominations have been made. The Deputy of St. Ouen, Deputy Martin and Deputy Le Hérissier, would they please all retire to the distant place?

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

Can I just ask; is that the order we come back in, the order we were proposed?

**The Bailiff:**

That is the order I have been given by the Greffier, Deputy.

**Deputy J.A. Martin:**

Thank you. I thought it might be a lottery.

**The Bailiff:**

Senator, I am sure you do not need to be reminded: 10 minutes, 20 minutes of questioning and warning bells as yesterday.

**1.1 Senator P.F. Routier:**

Firstly, I would like to say how grateful I was for the support I received yesterday in the election for Health and I have to say I wish Senator Perchard every success. **[Approbation]** I do not always agree with the *J.E.P. (Jersey Evening Post)* editorial but I was humbled by the description that I am “a capable and highly-regarded Member with a strong degree of public trust.” Over the lunch break yesterday the Chief Minister elect, as well as several Members, asked me how I could put my skills to good use. I have been flattered by their comments. Last night I also received phone calls from people who pointed out that, facing the electorate in an Island-wide election, they were expecting, and wanted me to be working on their behalf in a Ministerial role. I thank everybody who has encouraged me to stand. I have served on the Education Committee and the old Sports, Leisure and Recreation Committee, so I am well aware of the scope and the importance of the role. E.S.C. (Education, Sport and Culture) is the area most vital to the future wellbeing of the Island. It is the ministry most concerned with our young people, who are Jersey’s future. Our young people need to be able to reach their full potential through our education system, not only attaining good exam results, but, importantly, being equipped with the skills to succeed in life, which are grounded in Jersey’s history and culture. Our education system is rightly regarded by people as being excellent. But there is always room for improvement and there are a number of significant challenges to face. The States voted to extend free nursery education to all rising 4 year-olds. Work is well underway in preparing for this to happen this coming September. But it will be the new Minister’s task to ensure that the new system involving the private sector works and delivers good quality early years care for all. We will have to consider how we, as an Island, are going to deal with fewer pupils overall in the future, with demographics on the downward trend for

the next few years. This will have an effect on our primary schools and particularly our secondary schools and how they are organised. This is particularly important in relation to the teaching of skills. I was one of the 3 Ministers who made up the Skills Executive. The acquisition of essential skills needs to be more available to all Islanders of all ages. We need to develop more vocational training for 14 to 16 year-olds, as well as preparing for a potential increase in student numbers at Highlands, as part of any economic downturn. We must also continue to develop the policy of making more higher education degree courses available in the Island, building on initiatives such as the recently-launched very successful foundation degree in finance. I want to see more foundation courses in other subjects. Complimenting vocational training in the Island is Careers Jersey, which has brought together all the different aspects of careers guidance into one area, based, I am very pleased to say, at Social Security. This service is going to be vital in securing gainful employment and advising on career changes and development, particularly if more people need to find new jobs. We need to ensure that everyone, including those with learning or other difficulties are included and all Islanders are encouraged to fulfil their potential. It is wrong to offer such outstanding support in education through schools such as Mont à l'Abbé and then have nothing to offer after schooling is finished. The States have recognised this in increased funding for supported training and employment. Education will need to play a vital role in ensuring this is delivered. Other challenges facing the E.S.C. include dealing with probable increases in higher education costs in the future. I would continue to argue with the U.K. Government that Jersey and other Crown dependencies should not be treated any less favourably than the British overseas territories, whose young people have home status when they are studying in the U.K. We must be aware that if this is not successful there are likely to be substantial university fee increases to be faced over the next few years. I understand the pressure which is being faced by middle income families in funding university education and I will find a solution. There are 2 other areas of education which need to have real focus. Firstly, there is the recent development in providing extra numeracy and literacy input into secondary schools. We must monitor the outcomes to ensure that pupils attain basic skills. Secondly, while great store is placed on good exam results and being able to gain places at universities, I believe that there is a need to have a review of outcomes when students have concluded their higher education. Jersey's Youth Service is highly rated and we need to extend its offering and availability. Many Parishes now have partnership agreements with the Youth Service and I will work with the remaining Parishes to conclude more agreements with them. By providing activities for young people to do, especially what they want to do, is one of the ways to ensure youth offending is minimised. The success of the Youth Service and the activities such as the football evenings, which ran at Les Quennevais in the winter and on the beach in the summer, has demonstrated the real value of such activities, with reported incidents of vandalism and misbehaviour by young people much reduced when these schemes are running. As a keen sportsman myself, I appreciate the importance of sport to our Island. I am proud of our excellent sports facilities, though I would wish to see dedicated facilities for gymnastic clubs provided, and, of course, Fort Regent will need a major refurbishment in the not too distant future. The Fort needs to be our sports centre of excellence, revitalised by providing high-speed access from Snow Hill so everyone can easily enjoy not just the facilities at the Fort but also its history and wonderful views it offers. I will work with other Ministers to find a solution for Fort Regent, especially the access. Jersey is hoping to be chosen as a training base by some of the competitors for the London Olympics 2012 and I will encourage this, as well as supporting the bid for Jersey to host the Island Games again in 2015. We last hosted the Games in 1997, and, as one of the major medal winners at every Games, we are now rightly being looked at to offer to host the Games again. "C" in E.S.C. is no less important than the "E" and the "S". In fact, culture is all around us. It is part of all our lives. We will have to find a solution about how we are to maintain and enhance our historical and cultural heritage. Sharing our culture with visitors to our Island is something I would really like to develop and I would want to work together with Economic Development to achieve that. Elizabeth Castle will need serious investment at some time in the future and also the leases and maintenance of the Jersey Opera House and St. James need to be finally resolved. I also want to build on the

citizenship curriculum that has been established in our schools, to ensure all our young people grow up with a good knowledge and understanding of our Island. Jersey has been fortunate in having such a good education service, but we must not rest on our laurels and we can improve. I believe passionately in ensuring our young people have access to a best possible start in their life and I believe I can contribute to this as Minister for Education, Sport and Culture. There is no better investment a society can make in education because it improve social mobility. Giving young people the best start in life and giving all Islanders the opportunity to reach their full potential, has to be one of our main priorities. I know I could make a difference and I do hope you will agree and support me. Thank you. **[Approbation]**

**The Bailiff:**

Thank you, Senator. The period of questioning will begin.

**1.1.1 Connétable J. Gallichan of St. Mary:**

Does the candidate recognise the important community contribution played by even the smallest school extends far beyond education and will he ensure that this is given full recognition in his policies, in his targeting of capital projects, and, certainly, if school closure ever becomes an issue?

**Senator P.F. Routier:**

Yes, the Constable of St. Mary makes a very valid point. The issue that the Education Service is going to face is falling rolls and we need to find an appropriate method of dealing with that. I certainly do recognise the value of Parish schools and I would want to ensure that we are able, if possible, to maintain those because they are certainly of high value.

**1.1.2 Deputy S. Pitman of St. Helier:**

When the Senator was defeated in his attempt to get the position of Minister for Health and Social Services yesterday, I heard mutterings amongst his Ministerial colleagues: “You will have to go for Education.” I would like to know the real reason why the Senator is standing for Minister for Education, Sport and Culture.

**Senator P.F. Routier:**

About a couple of months ago I was thinking about what I would like to do when I decided to move from Social Security, and it was a voluntary thing to move from Social Security. I believe I need a new challenge and I really thought long and hard about which one I would like to do, whether it be Health or Education. I came to the conclusion that Health would be the priority that I would want to do and obviously Senator Perchard has been successful in that and now I believe that I can offer the States and Members and the Island my skills to help the Education Service move to the next stage. We need to improve Education along and to move it along and I believe I can do that and I can achieve that.

**1.1.3 Deputy K.C. Lewis of St. Saviour:**

The Senator has made mention of Fort Regent. If elected, what plans would the Senator have for the Fort Regent swimming pool, which is degrading by the week?

**Senator P.F. Routier:**

Yes, I am very aware that Fort Regent’s swimming pool is degrading. I can recall going to the opening of the pool, well, the day before it opened was my wedding day and I recall having a chat with my best man in the pool and discussing things with him about the wedding. Sorry, I am digressing. But certainly we need to find a solution for the pool. The reason we closed it: it was degrading and degrading and degrading. I recognise the regeneration of Fort Regent is a high priority and obviously the pool will be part of that.

**1.1.4 Deputy D.J. De Sousa of St. Helier:**



If elected, would the Senator consider creating an internet university in Jersey for the likes of people that cannot afford to go to the U.K. (United Kingdom) and also some people who choose not to leave the Island?

**Senator P.F. Routier:**

I believe that is a very good idea. Certainly I think that is something that the Economic Development Department, along with the Highlands College, have been considering as an option for increasing education learning within the Island. I recognise there are people who do not want to leave the Island to get further education and that is why I recognise that the development of the degree courses which have started at Highlands are an excellent progression and also the foundation courses which have been put in place. We need to see more of those foundation courses in things like tourism, in IT and all those sorts of areas. I think we could enhance our education service quite dramatically by doing that.

**1.1.5 Deputy M. Tadier of St. Brelade:**

A question as regards higher education; does the Senator agree that there is a section of society in Jersey who are denied access to higher education who may not qualify for grants or financial assistance, but due to their parents' unwillingness to pay or inability to pay are denied access to higher education, and does he see that as a problem?

**Senator P.F. Routier:**

The grants system is something that does need to be reviewed. We are going to have to look at that very closely, especially if the negotiations with the U.K. are not very successful and we will probably have to take a fresh look at all of the gateways to gaining grants to be able to go to higher education. There is a recognition that perhaps the rules do need to be adjusted to ensure that there are no barriers for people to gain access, especially if they have limited financial means. I understand there are some mechanisms where families are ... perhaps where they are split that one party, one side of the family are not contributing. I do not believe that is appropriate. We should be looking at the whole financial situation and try and avoid that happening.

**1.1.6 Deputy A.E. Jeune of St. Brelade:**

I understand that the 2005 Cultural Strategy has been adopted in principle and is seen by some as a Cinderella of the portfolio. Does the Senator consider Culture sits comfortably alongside Education and Sport and how would he take the Cultural Strategy forward over the next 3 years?

**Senator P.F. Routier:**

When it was decided to include Education and Culture and Sport and Culture together, there was a big debate about that, whether that was the appropriate thing to do. It was recognised that we needed to find a home for it. But, as I said in my speech, I believe that culture is within us, it is here. The whole Island is culture. So there needs to be a Minister that has responsibility for it and I think, being that education is all about trying to instil belonging within the Island and being part of the culture, I think that it can sit well within Education, Sport and Culture and it does not need to be the Cinderella at all. I think that we obviously need to -- I have not been as closely involved as Deputy Labey has been, or as the Deputy of Grouville has been, but certainly I would welcome her input into helping to move that forward. I would need to look at it more closely.

**1.1.7 Deputy G.P. Southern of St. Helier:**

Is the candidate prepared to express an interest in the Housing portfolio?

**Senator P.F. Routier:**

Certainly not.

**1.1.8 Deputy P.V.F. Le Claire of St. Helier:**

The recent events in Jersey have meant that the visiting youth from outside of the Island are requiring an alternative location. Some suggestions have been made as to where they might possibly go. If elected would the Senator undertake to investigate whether or not somewhere like the Fort Regent Swimming Pool could be utilised by the youth who visit the Island, as it is currently not being used at all?

**Senator P.F. Routier:**

There are opportunities for the whole of Fort Regent and I can recall when I was on the Sports, Leisure and Recreation Committee there was a plan that was put forward for a hotel for people to come and take part in the sports and a hotel which is associated next to the sports facilities. The building itself of the swimming pool is in such disrepair. I do not know if people have been in it recently but I had the opportunity to go in during last year and it is really in such a bad state and I do not believe there is a lot that could happen with it for it to be regenerated, really. I think it would really need to have a rebuild and have something appropriate which is in association with the Fort.

**1.1.9 Deputy M.R. Higgins of St. Helier:**

How would the candidate deal with the education of those who have been excluded from school and all those, who, for one reason or another have fallen behind their contemporaries?

**Senator P.F. Routier:**

The decision to exclude somebody from school is something that I think is taken very, very seriously. What needs to happen is that the mechanism needs to be that there is something to support those young people who are falling out of the system. There has been a great deal of work in a couple of the secondary schools, which are putting more help and more emphasis and trying to support them in greater than just the ordinary teaching setting. I know that has happened in a couple of the secondary schools. With regard to ones that have been excluded, there are units which do support people. It is the old d'Hautrée School. I am not sure if it is still there, honestly, but I know that the unit there has been very successful in helping excluded pupils and to help them to get back into the system again. But we do need to invest in children who may have been excluded and we need to perhaps avoid them being excluded in the first place, to try and support them within their environment.

**1.1.10 Senator A. Breckon:**

I wonder if Senator Routier would like to comment how he sees negotiations with the United Kingdom developing on university fees and how that fits with parental contributions that might be required locally?

**Senator P.F. Routier:**

Yes, I think I touched upon that a little bit earlier. Certainly the negotiations are in a critical position at the present time. I know there have been communications between the U.K. Government regarding the way fees are put together. The issue is, I think, some of the letters that I have had sight of have included other matters which are related to our position, our connection with other negotiations with the U.K. Government. So we are trying to use levers to ensure that we get the best deal for all Jersey, to ensure that hopefully we can come out of it on the right side. But the second point about the Deputy's question about parental contribution is something which does need to be looked at. I am very concerned about those obviously with middle incomes who are finding it really tough to pay the increased fees at the current time and we need to come to an equitable solution which makes it fair so that there are no barriers for any students who do want to increase their education on the mainland.

**1.1.11 Deputy J.M. Maçon of St. Saviour:**

The candidate expressed the importance of citizenship. The right to vote was extended to the 16 and 17 year-olds, yet no provision was given to educating these new voters. Does the candidate agree that provision must be made to educate these voters and what should this include?

**Senator P.F. Routier:**

Yes, going through the last election process, it was a disappointment that the hustings we went to at Hautlieu unfortunately did not materialise into anything of what we were hoping it was going to be. So certainly I would like to see the opportunity for having greater involvement with the schools during election time. This whole election process does need to be explained to young people to ensure that they do have the opportunity to participate. But it needs to start earlier than that. I think we need to see that the education curriculum does now include children coming into the States Assembly and sitting in our seats and having debates, which is, I think, very, very good. So it needs to be a process going through all the years to ensure that they do keep up their understanding of the electoral process. But certainly I would hope that we can do it better at the next election time to ensure that we do gain the input of the younger generation within the election process.

**1.1.12 Deputy A.E. Pryke of Trinity:**

Our town secondary schools carry a heavy burden. At 14 and 16 a large number of students go on to Hautlieu. What support could go into enabling the secondary schools to meet the needs of pupils that are still in our secondary schools?

**Senator P.F. Routier:**

When we get on to helping students to gain their exam results, there needs to be a combination, I believe, of availability of education, even across the Catholic schools, Hautlieu, the secondary schools, I believe they should all be working a lot closer together to ensure that a wide provision is available for individual students because what I understand in the past is that were times when, because the student was going to a particular school they might miss out on a course that is going on at another school. We need to ensure that students are able to share resources across the schools and have arrangements with the Catholic schools, secondary schools and Hautlieu to ensure that the education division is open to everybody to access.

**1.1.13 Deputy T.M. Pitman of St. Helier:**

I heard the Senator talk about the Youth Service and activities to keep people off the streets. Is he sufficiently aware that the Youth Service is a professional educational service? Indeed, all my former colleagues, though a small team, had to attend university just as a teacher. If elected thus, would he commit to pushing for an adequate resource funding to allow professional youth workers to deliver that education in support of the former system? Thank you.

**Senator P.F. Routier:**

I certainly would because I believe that the Youth Service is a vital part of our community provision. I have taken part and helped in a youth club in a very, very small way and I know the benefits there are for the young people and also for the community as a whole. I wholeheartedly support all the youth service work that goes on in the Island and in particular the way that the Youth Service has included people with learning disabilities within their groups. It has been tremendous the way that that has worked really, really well and it is now a very inclusive service and I give my wholehearted support to ensuring that the Youth Services are given the resources that it needs.

**The Bailiff:**

Deputy Duhamel, do you want to ask your question?

**1.1.14 Deputy R.C. Duhamel of St. Saviour:**

I have not asked any questions yet but I would like to ask one, yes. Exercise and sport have generally been squeezed out of the curriculum except for the most able students. How would the Senator move to promote the greater take-up of physical education for healthy bodies as well as healthy minds?

**Senator P.F. Routier:**

I thank the Deputy for that question. I think it is vitally important that we do that. I always regret the way there has been a decline in the physical activity within schools. It is something that I believe that encourages ... I am a team player. I believe team sports are very good. I believe competition is very good and I think it creates a person ... it gives them the fight to get on in life, to be able to take part in sport. So, as far as I am concerned, I believe that we should try and get sport back into the curriculum.

**1.1.15 Deputy J.B. Fox of St. Helier:**

Would the candidate affirm equal opportunities commitment for all our young people, whether they be children or going in to adulthood? Thank you.

**Senator P.F. Routier:**

I certainly do. I believe equal opportunities for all students, whatever their ability, needs to be in place. People with varying abilities need support from people who attend Mont à l'Abbé School, from Bel Royal School and through to high achievers. We need to ensure that we have an appropriate education service. Education is the be all and end all, as far as the future of the Island is concerned. We need to ensure that our education service is able to support our community to ensure that our future is in safe hands.

**1.1.16 Deputy C.F. Labey of Grouville:**

What provision would the Senator make for educating the educators in our culture to enable them to teach better the citizenship programme introduced in the schools?

**Senator P.F. Routier:**

The curriculum for citizenship is obviously very new and I realise that we do have perhaps some teachers who come from outside the Island who do need to be able to understand the way our culture is and the way we work in our Island. We would need to put in a programme to ensure that they themselves, the teachers (I agree with you entirely) have the right skills to pass on the culture and citizenship values that we hold. If we hold those values, I think we must ensure that our children are able to hold those values.

**1.1.17 Deputy D.J.A. Wimberley of St. Mary:**

The candidate has made mention ... there you go.

**The Bailiff:**

Sorry, Deputy, beaten by the bell. Now, I ask Senator Routier to withdraw to the Blampied Room, please, accompanied by an officer of the States Greffe and I ask the usher or officer to bring the Deputy of St. Ouen from the Le Capelain Room.

**Deputy G.P. Southern:**

Could I in this short interval point out, and having noted that the Constables are absent from this House, and I believe your ruling yesterday was that despite the swearing in of Roads Committees their first duty was this House. They seem to have made up their minds.

**The Bailiff:**

The swearing in of Centeniers rather than of Roads Committees, Deputy. But that is a matter for the Connétable, I think.

**Deputy G.P. Southern:**

But you did point out yesterday that their first duty was to this Assembly.

**The Bailiff:**

I think I said that if there was a choice to be made then obviously the Connétable should attend the Assembly here and certainly if there were a risk of the Assembly becoming inquorate, that might become important. But happily we are well quorate at the moment. If the Deputy of St. Ouen has caught his breath I will now call upon him to address the Assembly.

**1.2 Deputy J.G. Reed of St. Ouen:**

Education is the main foundation of any society and is one of the most important areas that the States invest in. It should not simply be regarded as time spent at school or university. It is a perpetual and ongoing process which never ends. I care passionately about education and want to provide the very best for our young people. I am totally committed to ensuring the department continues to make an important contribution to the Island's overall education. Having run my own successful business for many years, I understand the leadership role. Together with the responsibility that goes with it, I relish the opportunity to become the new Minister for Education, Sport and Culture. As Minister, I will actively seek the views of all those involved, rather than rely solely on the advice of department officers. Over the last 6 years I have gained much experience in all aspects of government and would like to be given the opportunity to put that to good use. I want to maximise the potential of each individual and will work with all partners to ensure that the services provided meet the needs of the whole community. We have much to be proud of but this is not the time to be complacent. Although many of our students are reaching a high level of academic achievement, more attention must be given to the needs of students and other individuals more suited to the practical skills. I want to develop a new careers information system which not only keeps track of the achievements of graduates and other individuals who have left the Island but notifies them of local job opportunities as they become available. This should help skilled local people to return to the Island and contribute to our economy. I want to see more emphasis given to vocational and apprenticeship schemes aimed at providing greater access for jobs for those under 25. The present efforts of both the Economic Development and Education Departments need to be harnessed if we are to develop a comprehensive service for those seeking fulltime employment. Although the overall standard of numeracy and literacy in our school population is relatively high, more needs to be done. If this is to be addressed, difficulties must be identified at the earliest opportunity in order that remedial help can be provided. Waiting until students leave school is not the answer. I want to help those with special needs access meaningful employment. These individuals deserve better and more effort is required if we are to make real improvements in this area. I believe it is vital that all 3 to 4 year-olds should have access to early years' education. I will meet with the Jersey Childcare Trust and other stakeholders as soon possible to ensure that the service offered can meet the needs of both the children and parents alike. The current annual cost of sending students to university is approximately £18 million. Next year university fees are due to be renegotiated and I will work with the Islands of Guernsey and the Isle of Man in order to achieve the best deal possible for those wanting to access higher education. I am pleased that during the budget debate a commitment was given by the Minister for Treasury and Resources to carry out a review in conjunction with the Minister for Education, Sport and Culture, aimed at identifying proposals to mitigate the increased costs faced by parents with children in higher education. It is my hope that I can be involved in that process. One of my first priorities will be to improve the focus on young people. Some of the commitments made in the last Strategic Plan have been less than effective and more needs to be done. Young people are willing to play a part in policy development, as demonstrated by the involvement in the recent Imagine Jersey event and this has to be built on. I will work with both the schools and the Youth Service to develop a more inclusive youth forum, as it is only right that they have their say in how the future is shaped. Parishes, equally, have an important role to play if the department is to meet the needs of our young people

and encourage them to play a greater part in our community. It is only by working together that we can properly identify the services required and offer the right form of support. Our young people should not be considered a nuisance but a valuable and important asset. In rural areas, the local primary school is a key element in aiding the development of the community. I will do all in my power to protect this most important resource. Over the last year I have become increasingly aware that the most vulnerable in our community need to be properly protected and catered for. I fully support the work of the Child Protection Committee and welcome all the proposed improvements to the current approach in caring for children and young adults. I see the department playing a lead role in ensuring greater accountability and providing an improved response to the needs of these individuals. My aim will be to build on the good practices already in place and address the perceived lack of joint working between schools, the Youth Action Team and the Children's Service. I will work closely with all those involved to introduce clearly defined roles and responsibilities for each corporate partner. With the help of the chairperson of the Jersey Child Protection Committee, I aim to implement the recommendations contained in the Williamson Report, in order that improvements can be made for the future provision of this service. Sport is an important area covered by the department and much has been accomplished in this area. We should be rightly proud of the achievements of our sports men and women, both on and off Island. I look forward to working with the organising committee, who are seeking to prepare a bid for the 2015 Island Games. Physical activity is an equally important element or perhaps the most important element in a child's development and I aim to make sure that sufficient time is dedicated to this subject within the school curriculum. The impact of culture on our everyday lives cannot be underestimated. It defines who we are and where we have come from. My aim will be to develop a greater sense of pride in our island and broader appreciation of our history and heritage. Tourism derives much benefit from our diverse selection of historic buildings and I aim to work with the Minister for Economic Development to promote our rich cultural heritage to both Islanders and visitors alike. Our cultural estate, however, has been somewhat neglected and this needs to be addressed if these buildings are to be preserved for future generations. This cannot be done without capital investment. Gorey Castle is a good example of how targeted investment cannot only improve the quality of the site but increase footfall and income. Funding pressures still remain a concern for properties such as St. James and the Opera House and I will be discussing this and other property matters with the Treasury and Property Holdings in order to secure long-term solutions for this problem. Today children are the future generation and, as such, deserve the best education we can provide. I will engage with all head teachers, teachers and parent/teachers associations so that our schools continue to deliver the high standard of education that we have all come to expect. The Island is extremely fortunate to have an excellent range of public schools and privately-run facilities where top-quality education is provided. With a proposal to develop a university centre, a secondary education offering a more varied curriculum, and opportunities to further develop a local skills base, the Island should be well-placed to meet the challenges of the future. I do not underestimate the size of the task ahead and I fully appreciate the demands of the job. I have much to give and hope that Members will allow me to undertake this challenging role.

#### **1.2.1 Deputy S. Pitman:**

Does the Deputy believe that we have education: political, cultural and historical, local education in schools and youth services? If he does not, could he tell us how he would go about improving that?

#### **The Deputy of St. Ouen:**

I think that we are making advances in all of the areas that you have mentioned. I think one of the great successes in recent times has been the Citizenship Programme. And I believe that there is far more that is able to be done in this area. I have been part of that programme and taken part in it. I also think that by encouraging our young people to meet with States Members and other individuals and link in with Deputies they, too, will begin to start understanding and putting faces and people to the words that they are taught in the schools.

### **1.2.2 Deputy D.J. De Sousa:**

If elected, what would the Member do about inclusivity of all in education?

#### **The Deputy of St. Ouen:**

I think that we are and do provide presently an inclusive education system. I think that there are areas where we can improve. I think one area that we have made, and should be very proud of, is the area where we address the individuals with learning disabilities and special needs. Where we let them down, and seriously let them down, is that once they leave school, we abandon them.

### **1.2.3 Deputy K.C. Lewis:**

The Deputy will recall that over the last days much has been said regarding traffic, especially schools' traffic. If elected, would the Deputy undertake to work with Transport and Technical Services and other ministries to alleviate this problem?

#### **The Deputy of St. Ouen:**

Yes.

### **1.2.4 Deputy F.J. Hill of St. Martin:**

It has been apparent that Jersey has not been able to promote a local person to head our Youth Service. What steps will the Minister be taking to ensure to remedy the problem?

#### **The Deputy of St. Ouen:**

I hope I have indicated in my speech that part of the solution to this problem, because we do know and we are aware, many of us, that there are individuals that have left the Island, gained their extra, additional qualifications and experience, local people, who have a genuine desire to return to the Island. The problem is that they are relatively unaware of the opportunities that exist. I absolutely aim to encourage and develop systems that draw these people back to the Island, and, at the same time, ensure that the proper training and the attention placed on encouraging others to climb the ladder, as it were, is properly addressed. Thank you.

### **1.2.5 Deputy M.R. Higgins:**

How would the candidate deal with the education of those who have been excluded from school and all those, who, for one reason or another, have fallen behind their contemporaries? I am not referring here to special needs.

#### **The Deputy of St. Ouen:**

I think the first thing is to get to the root of the problem. All too much and at many times we place a lot of emphasis, obviously, on the State providing support for the individuals. But we have to look behind that. We have got to find out why these individuals are not being engaged. We need to speak to parents. We need to encourage parents to play an active role. We need to be prepared to listen to their concerns. It is pointless using, if you like, education as a sticking plaster to dealing with the more root causes. I think, as I said, if anything, I would want to engage properly with parents and consider, as I say, the underlying the causes of the problems. Then we can properly address it.

### **1.2.6 Deputy P.V.F. Le Claire:**

The Deputy of St. Ouen knows that the Jersey cow is an important part of our culture, one that we have been able to count upon in the past. How would he see us being able to count upon that in the future so that we do not see the dog end days of agriculture? How would he integrate that with the children's need to learn about animals in Jersey?

#### **The Deputy of St. Ouen:**

I think that we make quite a number of efforts in engaging the children in all sorts of environmental areas. The one thing that disappoints me, and is a point I believe I raised in my speech regarding appropriate vocational and apprenticeship training schemes, is we spend a lot of time concerned about the state of our agricultural and other industries on the Island, and yet I ask myself how are we ensuring that that future is protected. I am perhaps a strange individual insofar as my father was not involved in agriculture at all. It was a genuine desire, driven I think from my heart, to get involved in that industry that drove me forward. I was fortunate that I could access training from various sources to improve my experience and my ability to start up on my own. I would encourage others to think about that. Why should careers in agriculture and other areas be classed as second class?

**1.2.7 Deputy E.J. Noel of St. Lawrence:**

How does the Deputy propose to resolve the issue of escalating university fees against the ability of middle Jersey to pay these fees? Would the Deputy consider student loans as a replacement for parental contributions?

**The Deputy of St. Ouen:**

This is a massive area which I only briefly touched on prior to our budget debate. I think there are a number of tools in the toolbox that perhaps we can use. More importantly, I think that firstly we need to properly - and collectively with Guernsey and the Isle of Man - review how we are considered and what contributions we are required to pay for university courses in the U.K. I think there is more to be done and I would be pretty robust in my attitude to ensuring that where possible we should be negotiating downwards from the present position rather than upwards. The second area that I think we will have to look at is parental contributions. We also have a form of student loan already in place regarding the top-up fees. If we are to enable everyone to access education and higher education, we will perhaps need to review that whole area.

**1.2.8 Senator B.E. Shenton:**

I was tempted to ask how he intends to convince the Constables he is the right person for the job. **[Laughter]** The previous Minister for Education, Sport and Culture, in my personal opinion, did not get the best out of his Assistant Ministers because he did not delegate properly and give them specific powers. Do you plan to give your Assistant Ministers specific powers and let them get on with the job? Have you any idea who your Assistant Ministers might be?

**The Deputy of St. Ouen:**

I fully appreciate that I cannot fulfil my role without proper support. Absolutely I will be wanting not only to engage the Assistant Ministers and give them proper authority and power in particular areas, but I also want to engage the Constables and all the Deputies and, in fact, Scrutiny, because everybody has a part to play. If we are going to deal with issues for our young people, it is not just James Reed and a couple of other States Members that are going to do it. It is going to need a concerted effort by all parties. That is the vision, if you like, that I have. I want to include everybody and I want to work collectively with everybody to really improve and provide the services that we all want to provide.

**1.2.9 Senator A. Breckon:**

The Deputy of St. Ouen mentioned in his speech about supporting young people who may have problems in achieving in education. I wonder if he would like to comment on how important he sees an alternative curriculum for those who are not exam-focused.

**The Deputy of St. Ouen:**

I think that is, as I briefly mentioned in my speech, absolutely important. We are very good and we measure success based on academic performance. I do not believe that that alone is good enough. We need to be developing every individual's potential. I am well aware, I have 3 children of my



own with all different abilities, but they equally all need to be supported. They need to be encouraged. I think that in some respects we are responsible for not addressing the needs of young people who fall out of school. We do need to bring in and focus on a far more practical alternative curriculum that picks up these people. I have a great friend of mine who is a farmer. I am sure he would not mind me saying he is totally dyslexic and would not understand figures at all. However, he is brilliant at repairing tractors and growing crops. If he can do it, we should encourage that model in every individual so that they can succeed in areas they are good at.

**Deputy G.P. Southern:**

We are having some rather long answers. We were pretty efficient yesterday, I think.

**The Bailiff:**

I think it would be helpful to Members if you could be a little bit ...

**1.2.10 Deputy G.P. Southern:**

Can the candidate assure us of his total commitment to equality in education and will he actively pursue anti-discrimination policies, including that of sexual orientation?

**The Deputy of St. Ouen:**

As far as I am aware, we do not discriminate in our schools over sexual orientation or any other area. I absolutely do not support any form of discrimination. I think that every individual who lives on the Island and contributes to our economy and our community, more importantly, is properly supported.

**1.2.11 Deputy J.B. Fox:**

Would the Deputy affirm equal opportunities commitments for all our young people and young adults?

**The Deputy of St. Ouen:**

Yes.

**1.2.12 Deputy R.C. Duhamel:**

We expect all our children to learn how to read at school, but should all students also be expected to learn how to read music and express their musical ability by learning to play an instrument, or should it be the priority to the musically gifted?

**The Deputy of St. Ouen:**

Music and the arts need to be included in part of the curriculum. I enjoy music and I think that it is an area that we need to ensure people are able to participate in and, in fact, should be encouraged for people to participate in.

**1.2.13 Deputy J.M. Maçon:**

I am glad to hear that the Deputy has already touched on citizenship. The right to vote was extended to 16 and 17 year-olds, yet no provision was given to educate these new voters. Does the candidate agree that provision must be made to educate these new voters and what should this include, as debate alone is not enough?

**The Deputy of St. Ouen:**

I suppose the short answer is education and involvement. I think this is where my views on developing a youth forum which is meaningful and inclusive will help. I think that we were wrong not to properly consider the implications of lowering the age of voting to 16 without attending to understanding how government in our Island works.

**1.2.14 The Deputy of Grouville:**

We have one of the highest percentages of working women in the western world in this Island, more from need than desire. During the last ministry I put forward an idea for the school day to be extended to those that wanted to, whereby schoolchildren could be taught life skills, participate in more sport, possibly being taught cooking by senior citizens, and including many people in our society to enhance the richness of education and also help parents who are struggling to work with the ...

**The Bailiff:**

The question, please, Deputy.

**The Deputy of Grouville:**

... the school hour finishing at 3.00 p.m. or 3.30 p.m. How would the Deputy proceed? Would he be willing to take this idea forward? Because I do not think it has been thus far.

**The Deputy of St. Ouen:**

Absolutely I am willing to consider any ideas that are brought forward. In fact, I am well aware that in certain private establishments they have a much longer school day and provide for additional benefits and opportunities that the Deputy of Grouville has spoken about. So, absolutely, totally, I would be quite happy to pursue that idea.

**1.2.15 Deputy A.E. Jeune:**

Would the Deputy support the teaching of our native language, Jerriais, in our schools, particularly our primary schools?

**The Deputy of St. Ouen:**

Yes, and it is already happening. I am very encouraged to know and learn that more and more of our young children want to learn the language.

**1.2.16 Senator T.J. Le Main:**

A very simple question: the general public have asked me to ask the candidate whether he would consider further education for States Members. **[Laughter]**

**The Deputy of St. Ouen:**

If I was the Minister for Education, Sport and Culture, I would expect that. **[Laughter]**

**1.2.17 The Deputy of Trinity:**

Our town secondary schools carry a heavy burden. Between 14 and 16 a large number of students go up to Hautlieu. What support could go into enabling those secondary schools to meet the needs of the pupils?

**The Deputy of St. Ouen:**

I would be wrong at this moment in time to come up with all the conclusions. I am well aware that there are issues and I will be aiming, as part of my role, to address this particular area.

**1.2.18 Senator P.F.C. Ozouf:**

The Deputy was a hawkish member of the Public Accounts Committee and the Comptroller and Auditor General has identified savings. What budget is the candidate seeking, the same, less or more?

**The Deputy of St. Ouen:**

Yes, I have been a member of the Public Accounts Committee and, yes, I fully support accountability and efficiency wherever and whatever service is being delivered. I will encourage

the department to not only be efficient but demonstrate how we deliver services and the cost. If obviously I identify areas which need additional expenditure, I will not be frightened with clear evidence to come to this Assembly and ask for those funds. At the same time, I will not accept inefficiency and wastage.

**1.2.19 Senator S.C. Ferguson:**

Currently, schools are inspected by a peer group review arrangement. Would the candidate accept independent inspections from the Independent Schools Inspectorate and would he be prepared to publish the reports?

**The Deputy of St. Ouen:**

I believe in accountability and it is one area that I want to develop. I want to remove the view that all services are inefficient and useless. I think that if any area or any individual or department or group of people can help me to achieve that aim I will consider it.

**The Bailiff:**

I ask a member of the Greffe staff or the usher to take the Deputy of St. Ouen to the Blampied Room, please, and to retrieve the next candidate.

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

Could I ask a question, Sir?

**The Bailiff:**

Yes.

**The Deputy of St. John:**

I noticed that some Members managed to get 2 questions in and others did not have a chance to get one in, although I did get your eye. Is there a particular order?

**The Bailiff:**

Deputy, I am very sorry, I did not catch your eye.

**The Deputy of St. John:**

Oh, I thought you had.

**The Bailiff:**

So I did not have your name down on the list, I am afraid. I shall look at you ...

**Senator T.J. Le Main:**

A good thing that the Deputy of St. John does not ask any questions. **[Laughter]**

**The Bailiff:**

I shall look at the Deputy of St. John as often as I can. **[Laughter]** Deputy Martin.

**1.3 Deputy J.A. Martin:**

For those who do not know who Deputy Martin is, I have been a Deputy for nearly 9 years. I did work on the Education Committee before we went to Ministerial, and other committees. I did say at the time if I was elected Minister or an Assistant Minister I would spend the first year sitting in the Education Department. This was to find out exactly what went on from bottom to top. I knew what went on at the top, but I needed to know more. In Scrutiny, I worked on many reports and sat on 2 panels. Apparently, I have worked with all the chairmen except Deputy Duhamel: on long-term care, telecoms, the role of the Centenier in the Magistrates Court, population, I chaired the Income Support Panel, and there are many others. All who have worked with me know I do not

just stick to subjects that I know. That is why I took on the bull semen review. Now I know more about the Jersey cow than I care to know. **[Laughter]** I have decided to stand for the position of Education, Sport and Culture because I thought if I had applied for health you might have thought it was just for Christmas. Seriously, I am not standing just for an election. I had been asked by Senator Shenton if he was to become Minister for Education, Sport and Culture would I think of taking the job of Assistant Minister, and we discussed what that would involve. I would have very much liked to have worked with him, but as somebody once said - and it has been said many times - we are where we are. I know the States, and the Island as a whole, places great importance on providing high-quality education and learning opportunities for all people in Jersey, and we pride ourselves on achieving very good academic results. This is all great news, but when I have asked questions on how many of our Island's children leave school at 16 with no qualifications, the previous Minister for Education, Sport and Culture has replied to me: "Oh, there is only very few." I think he quoted about 10 with no qualifications over a 3-year period. Did I ask the right question? How many of our kids do not make it to 16? Just drop out of the system? The reply, if this question had been asked, would have been very different. As I say, what we are doing for our kids who do achieve good results and go on to further education or university is excellent. I want to know are we doing enough for those who cannot or do not want to follow this line of education? Again, I discussed this with Senator Shenton and he felt I could play a part on the education side. This was to really get to the bottom of this problem and see where there is a need for early intervention and advice for these teenagers who I say are being failed by our system. I would want to look again at the newly formed Skills Executive. In my opinion - and not just mine, our adviser when we looked at it, Mr. Rod Kenyon, who has advised the U.K. Government - it is too top heavy. We have the Education budgets reporting to the Minister for Economic Development and it is all down at Social Security. He basically said: "You could not make this up." It is all too confusing for the size of our population. So, as I say, I want to know it is fit for purpose and it delivers to the kids, and not only the kids, people who maybe now need to retrain. This needs to be done. If I was successful in getting the ministry, I would put this as one of my top priorities and work closely with Economic Development. We have had a reading recovery scheme in our primary schools since 1993 helping over 1,000 children. They have benefited: 30 teachers working in all our 22 primary schools with an 82 per cent success rate. It starts at the age of 6, but I have no idea if it is good compared to other places. Is it good compared to the amount we put into our nursery classes, our small student/teacher ratio? I need to find this out. I certainly would want to find out what happens to the 18 per cent who are not helped by the programme. If they continue to lack basic reading skills, they will find it hard through the rest of their educational experience and will be the ones who drop out and are not bothering to turn up after the age of 14. Highlands do not have a pilot scheme for vocational skills, but it has been mentioned and we cannot duck this. The head of Highlands has said he could do a lot more with these teenagers if they came to him with at least basic reading and numeracy skills. This is something we have to address. The Comptroller and Auditor General said we should look at closing one of our Parish schools, and shock, horror, well didn't that go round the Assembly. Only 6 years ago we shut St. Mark's School down. I think some people forget St. Helier is a Parish and St. Mark's was one of its Parish schools. Not a problem, we sent everybody up to d'Auvergne. But we really will have to look at this. We are building homes in St. Helier; that is a debate for another day. So if other primary Parish schools want to stay open and have a full intake, the States will have to find a way to get young children, many of whom's parents will be on low incomes and will probably have no transport, from town into country Parish schools. I think Trinity is doing this and they are doing it well. The States cannot justify building more primary schools in town and keep uneconomical undersized-classes schools open in the Parishes. This will have to be addressed. Knowing the Constables, I am sure they can work with the Education Department or the Minister, whoever that will be, to find an innovative way of getting their schools full. I do not expect them personally to supply more children in the Parish, but that would be one innovative way. **[Laughter]** I make it clear I am not the Minister, if elected, who wants to shut primary schools in the country Parishes, but they really

do need to thrive. I have heard it from many Constables that this is not happening, so we need to sort this one out. Sports and leisure, again I have asked many questions on how much sports activities our children have in school. It is not what it would appear. After getting to the lesson and changing at both ends of the hour allocated, they are getting about 35 minutes twice a week. I would like to see Education work with outside clubs and let them use the school gym or hall after school. Education have many excellent sports facilities and they are not fully utilised, while some clubs and associations struggle to find premises. They should be encouraged to help children from the school. This could be done in numerous ways: small charges for the club association if they take the child or free if the children cannot pay, and low income families not being stopped from taking these classes because of cost. This leads me neatly into our Active Card scheme. There is only one membership. I have looked at many local authorities in the U.K. and they have different price lists for the over-65s, single parent families, families on low income and the unemployed. They are all catered for but, as I say, they pay what they can afford. We need to encourage more people to use our Active clubs at gyms and keep fit classes, swimming, and make it affordable and an enjoyable leisure activity for all. That is if we really take seriously tackling obesity in Jersey. We must help the kids and their families play a full part in getting fit and we will only do this if it is affordable and there is no stigma involved when you go for your membership. Education have now set up the scheme of 20 free hours nursery provision, 38 weeks a year, due to start in September 2009. In the implementation stage, any Minister for Education, Sport and Culture must keep a close eye on this to see it delivers what the working parents want. If elected, I will want this scheme closely monitored over the next few years and make sure the S.L.A. (service level agreement) is being stuck to. Culture. We have an Island-wide culture strategy, but what has it achieved? It was given very little money and I really question whether it is in the right ministry. I think it should be moved to Economic Development as part of event-led tourism. I think it would thrive there. An Assistant Minister across Health and Education has been mentioned. I think this is an excellent idea. I have discussed it with the Minister-elect for Health and Social Services, a clearly defined job, access to both of these departments, reporting lines clear, where the children can go where everybody knows who this person is. I think this is one way we can implement the Williamson Report and other reports we have had and get the vulnerable children of Jersey catered for.

**The Bailiff:**

Thank you, Deputy. The Question Time begins. Deputy of St. John.

**1.3.1 The Deputy of St. John:**

Our primary school in St. John is in need of a playground that is not a car park for staff vehicles. What will you do if elected to this position to help the school achieve a playing field adjacent to the school?

**Deputy J.A. Martin:**

There are many schools in St. Helier and I can even think of one in St. Saviour that has a very small playground and will never have a green field. But where St. John's School is situated I am sure this could be achieved if the money is there and the case is made. As I say again, the children at St. John, is there a playing field nearby that is not utilised? I would be very surprised if there is not. It is not just a question of supplying one; is there one in the very near vicinity that can be used? Probably yes would be the answer.

**1.3.2 Deputy K.C. Lewis:**

As the candidate is well aware, most of our students go to the United Kingdom for further education. There have been problems in recent times where the United Kingdom has treated most Crown dependencies as overseas territories and charged accordingly. These negotiations are, of

course, ongoing. The previous Minister looked as far afield as Australia to solve this problem. If elected, what action would the candidate take to alleviate this problem?

**Deputy J.A. Martin:**

The previous Minister may have looked as far afield as Australia, and I think it is good if some of our students want to go there if they can afford it. Talking to the Education Director, there is a challenge over the next 3 years. If we want to make a mark on the U.K. Education Department and stand our ground, we need to work with Guernsey and the Isle of Man. I would fully support that. Sending students to Australia from here, the fare alone would be, to me, off-putting, but if students can afford it and they want to go there, by all means.

**1.3.3 Deputy J.M. Maçon:**

My question is regarding citizenship. The right to vote was extended to 16 and 17 year-olds, yet no provision was given to educate these new voters. Does the candidate agree that provision must be made to educate these new voters and what should be included, as debate alone is not enough?

**Deputy J.A. Martin:**

Unlike the previous Minister for Education, Sport and Culture, to have the hustings up at Hautlieu at 4.00 p.m. in the afternoon: absolutely stupid. The teenagers who could vote I would have given the afternoon off. I would have supplied coaches and I would have got that hall full. They would have gone. That is as much as I can say. Yes, they do need educating and they really have a good lot of ideas. Sometimes I think people do not want the 16 year-olds or even the younger people to vote. [Approbation]

**1.3.4 Deputy S. Pitman:**

If elected, how will the Deputy ensure affordable leisure facilities for all?

**Deputy J.A. Martin:**

Hopefully, I covered that in my speech. As I say, our Active Card. We have just one membership, or you go with the begging bowl and you say: "I am on Income Support." I think there are a few free places. It is not rocket science. You pay what you can afford. Different sorts of membership, I have said it: over-65s, single parent families, unemployed. But they need an activity. A leisure or sport activity while you are not working is ideal. So, I would pursue this urgently.

**1.3.5 Deputy T.M. Pitman:**

I am sure all other Members would agree with me, it is very pleasing to see a woman putting herself forward to the Chief Minister's all-inclusive Executive. My question is, if elected, what would the Deputy do to try and work with other departments to ensure that all those young people who are not cut out for finance have the best, widest range of opportunities possible to stay within the Island? [Approbation]

**Deputy J.A. Martin:**

Again, it is the Skills Executive, getting to the children when they are failing early. I want to know who these children are. It is no good standing up in this House and, as much as I respected the last Minister for Education, Sport and Culture, he would not admit that there is a problem. We do have a problem and I want to do everything I can, get in early, find out. We need vocational. It is no disgrace if you do not want to go into finance or be a banker or an accountant or a surgeon; electricians, plumbers, even painters and decorators, whatever you want to do, if that is what you want. Some people die shrivelled up in an office. They do not want to do it [Laughter] and I would make sure ... there is lots of work to be done, that is all I can say.

**1.3.6 Deputy M. Tadier:**

My question regards higher education. I want to know should 18 year-olds, seeing as they major at that age - if that is the right word - have to rely on the financial positions of their parents or the willingness of their parents to send them to university?

**Deputy J.A. Martin:**

Well, 18 year-olds, I think there are different degrees of what the parents earn. No, they are going on and they can get some help. As I say, the problem is where that money is going to come from. There is a real problem in the next 3 years if we do not get the right agreement with the U.K. universities. Over here, there is a very small grant if you take further education. Again, that could be looked at, but the majority of young students of 18 do live at home and it is just really to cover, I would say, basically a bit of pocket money for them. But they can work as well; work and learning can be done together.

**1.3.7 Connétable D.J. Murphy of Grouville:**

At peak times we have the most horrendous problem with traffic outside Grouville School. I would like to ask the Deputy, if she is elected, if she would contact me through my Parish honorary officers in order to try to come to some agreement. We have a contentious situation between Education and T.T.S. (Transport and Technical Services) at the moment where we cannot bridge the borders between the 2 departments. I am sure that if we have somebody in Education who is willing to talk and to sit down with us then we can come to a solution to this horrible problem.

**Deputy J.A. Martin:**

Yes, as the Constable will know, I am always willing to talk to anybody and would sit down, stand up or whatever. I am saying, of course, there are innovative ways to deal with this. I read yesterday about the new eco walking to schools. There are walking buses. There is one bus to pick everybody up. I know where Grouville School is situated and the roads are very, very small around there. You do not need 35 parents turning up in big cars or small cars with one child in. I think it needs a sit down with me, but we also need to sit down with the school, get something done. I am sure it is achievable if the will is there.

**1.3.8 The Connétable of St. Mary:**

The candidate mentioned the vulnerability of smaller schools. Surely one contributing factor of that must be the failure of policy up to now to provide equal services, equal facilities at schools. Does the candidate recognise that the important community contribution paid by even the smallest school goes far beyond the education that it provides? Will the candidate ensure that this is given full recognition in consideration of future policies in targeting future capital programmes and, if closure becomes an issue, certainly at that time?

**Deputy J.A. Martin:**

I think there are some very small islands in Scotland where you need only have 4 or 5 children and you can call it a school. They have a fantastic education system. I am not saying that the small schools are not contributing and they are getting an excellent education. I have a problem when there are more children squeezed into certain schools and there is room in the Parish schools for these children to go. I think that if the Deputy thinks that I am, as I say, for closing down any of the Parish schools, I am not and I value them. I think there are some excellent Parish schools. But again, it is mixing with other children. The Parish school is the children from the Parish who live up the road. The school around the corner from a big estate is the children from the estate. Mix them up. I really think it would add value to both their educations. I really would not have a problem with this.

**1.3.9 Senator S.C. Ferguson:**

At the moment inspection is done in the form of a peer group review by other local head teachers, I understand. Would the candidate support independent inspections from such bodies as the Independent Schools Inspectorate and would the candidate be prepared to publish those reports?

**Deputy J.A. Martin:**

Firstly, I would have to look and see who was reporting on what. Any report I think should be published. I do not have a problem. There does seem to be a problem. I was on the board of governors at Grainville and they do not know the actual results that Le Rocquier have and vice versa for Les Quennevais. Is this good? I do not know. Apparently, we are too small to be in competition with each other. I am not sure if this is right and, if elected, I would really have to sit down and find out. We take the cream of our schools and put them into Hautlieu at 14. Very good for some, but again, do not duck the issues. These are things that will be coming back. If we want to have secondary education that is completely ... with demographics on the Island, secondary schools that are full and the classes are, enough people participating for good debate.

**1.3.10 Deputy G.P. Southern:**

Will the candidate undertake to have a thorough review of the level of grant following its recent cut, which now impacts on many middle-earning families, and will she also undertake to review the loan situation which, as far as I can make out, is worse than a commercial loan?

**Deputy J.A. Martin:**

Yes, I do remember the loan debate and I do not think I was very happy. Of course, a new Minister going in is going to ask these questions and have a look. I think there is a review already going on. I do not know how far down the line it is. As I say, all these things will need to be looked at. Again, it comes back to who we are dealing with. We are dealing with the U.K. Government Education Department. We have to find a way. I was given a figure today that if it moves by some few per cent and we do not move, our education loans could go up £7 million. Serious money.

**1.3.11 Deputy M.R. Higgins:**

I welcome the candidate's comments on helping those students who have not performed particularly well at school. I would like to know how she would deal with the problem of exclusion of children from school.

**Deputy J.A. Martin:**

Before they have exclusion from school, there are a couple of schools or classes, and I think the secondary schools do try to a certain extent. We do not have enough room here or enough children. There is a middle stage between secondary school and total exclusion in basically classes where the children turn up if they feel like it, but then nobody bothers. I do not think that is a good idea either. I do not want to get to the stage where they are excluded. Most kids have a good heart, and if you really talk to them early on and they do not want to learn any more and they are one of the older ones in the class, you can probably find a niche for them somewhere in our system. We have some great opportunities up at Highlands even and that is what I would like to focus on. You will always get children who are excluded and you cannot help, but we must keep that in the very minority.

**1.3.12 Deputy J.B. Fox:**

Would the Deputy affirm equal opportunity commitments for all our young children, and our young adults?

**Deputy J.A. Martin:**

Did the Deputy say confirm?

**Deputy J.B. Fox:**



Affirm..

**Deputy J.A. Martin:**

Yes. I think we have gone beyond that. Where we are today I hope we have equal opportunities for everybody and obviously I would ensure this. Equal opportunities are something that I just take for granted. I have no discrimination and I would work along these lines and keep that as another one of my priorities.

**1.3.13 Deputy D.J. De Sousa:**

If elected, would the candidate consider creating an internet university for people on the Island who either cannot afford, or do not want to leave the Island?

**Deputy J.A. Martin:**

I am not sure I would look at this. I am not sure whether we need one. We have some very good long distance learning and once you are on the internet it does not matter whether you are learning that from up the road or from, as somebody said, Australia. You are learning. So, I probably understand where the Deputy is coming from but, as I say, internet in itself is worldwide and once you are on it is getting the people in, making sure they have the connection with the internet and the computer. That may be the problem.

**1.3.14 Deputy A.E. Jeune:**

While I heard the Deputy in her address express her view that culture could sit within Economic Development, at this time it is included with the Minister for Education, Sport and Culture, therefore, would the Deputy please say how she would take the 2005 cultural strategy forward over the next 3 years, if elected to this Ministry.

**Deputy J.A. Martin:**

I am glad the Deputy has pressed me on this one because, as I said, it is with the Ministry for Education, Sports and Culture, bolted on at the end, did not know where to put it. I have had this conversation with the ex-Minister for Economic Development and I think he believes it is in the wrong place. If we keep it here it will die. It does not matter how much money you chuck at it; it is in the wrong place. I am sorry, I hear what the Deputy says, it would not take a lot, move the part of culture, and I think the budget of about £50,000 across to E.D. (Economic Development), where it should be, event-led, and do it quickly; I would say at the very, very first act brought back to this States, if I was the Minister.

**1.3.15 Deputy R.C. Duhamel:**

Should our children be taught to speak the Queen's English, or is there a case for regional accents and dialect?

**Deputy J.A. Martin:**

Well, as I only know how to speak the Queen's English obviously, and I know where the Deputy is coming from, yes, I mean, do you want a Minister for Education, Sport and Culture who actually can say "Education" but has a problem with "Health"? **[Laughter]** It is entirely up to you. **[Approbation]**

**1.3.16 Senator P.F.C. Ozouf:**

What does the Deputy think that her requests in terms of revenue and capital expenditure are going to be to the Treasury?

**Deputy J.A. Martin:**

As I say, they are set down for next year. The net revenue is touching £100 million and again, speaking to the director, there are some challenges ahead. The biggest challenge is, as I have

already mentioned, if we have a downturn in the economy we really need to get behind retraining and that will cost money. Again, the question that we have already had, the students leaving, keeping the fees down, and I will have to work within the budget, but I really want to know that that budget is going where it should be directed.

**1.3.17 Connétable D.W. Mezbourian of St. Lawrence:**

What are the Deputy's views on the Aquasplash contract? If she is critical of them, how would she reform it?

**Deputy J.A. Martin:**

Yes, I was on Education when we took it over and I said: "No, no, no, no, no, do not do it" and we did it and we are again where we are. We shut Fort Regent down, the budget for Aquasplash, which should have gone over 5 years, was gone in one year. Critical of it? Yes, I am. Again, I would have to look and see what the other options are. We also locked ourselves in. We cannot now re-open Fort Regent or another leisure pool because of the distance there must be between them, and I could not be more critical, but I cannot shut the place down and I would not be able to leave it high and dry, as they say, a swimming pool with no water, if I was Minister. But I am very critical and it worries me that we do these things without thinking where the revenue is coming from and saying everything is going to be okay; it was not, and it is not.

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

Would the candidate be willing to look at the access to the Hautlieu/Highlands complex? We have terrible problems along La Rue du Froid Vent with something like 3,000 traffic movements a day and some time there is going to be a serious accident there. Would the candidate be willing to look at that and see if we can provide access through St. Saviour's Hill?

**Deputy J.A. Martin:**

Yes, well, obviously I would bow to the knowledge of the Constable of St. Saviour, but again, do we need all these cars with one or 2 children going there at that time in the morning? I would say no, but traffic around schools, we have a 20 mile an hour traffic limit around all our schools, I defy anybody to try and do more than 10 miles an hour. Not possible.

**The Bailiff:**

I would ask that Deputy Martin be escorted to the Blampied Room and that the last candidate be retrieved from the Le Capelain Room. I call upon Deputy Le Hérissier to address the Assembly.

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

Hopefully this is the beginning of the end; not the end of the beginning. My motives in running are probably 2-fold. I was very seduced by the Chief Minister's announcement that there would indeed be a broad church represented in the Council and I was very disappointed by the fact that in my view this was not followed through. So, this did crystallise my thinking in the belief that I could hopefully contribute to this broad church and bring some different views, without in the process necessarily being typed as one of the destructive elements, as sadly has been the case. I do have a slight conflict. As people know I have taught for some years at Highlands College, but I do not teach for the States. When I came into the States I moved, in fact, to the payroll of Plymouth, on whose course I teach, and one of whose graduates grace this esteemed Assembly. I believe also I am interested in reform and I would like to make a pre-emptive statement; I have been described by Senator Ozouf as someone who does nothing and takes no decisions, and I have been described by Senator Syvret as a reform obsessive. As a result I would like to occupy the middle ground [Laughter] and I am indeed proud to do so. What do I bring to the job? I am quite prepared, at a later point to discuss my career, but as people know it has essentially been split between 2 areas; correctional services, prison and probation services, where I worked for some time, and academic education, where again I worked for some time and where I am pleased to be able to work, as I

said, at the moment. Clearly, if in the event of taking this position, that would in any case have to come to an end. What am I concerned about? I am concerned about the teaching of basic skills. We are struggling in that area and we continue to struggle. I am concerned about the academic vocational divide in Jersey education in a system which has been enormously successful, certainly on the academic side. I am concerned about preparation for work, and I am concerned about the role of schools in dealing with social issues. I am on the Board of Governors of Grainville School and it is a school that has been under enormous stress and the issues that I have dealt with there, or that I have observed, as well as the complaints I have had from constituents about issues like bullying, will, I think, inform my thinking. I should add there is a lot that is good about the Jersey education system. We all hear about its exceedingly commendable A-Level results and they are indeed very good. We hear about the very high rate of entry to higher education. We have heard in a report of only this week's vintage of the excellent work of the Youth Service, and the unsung heroes, because they were merged, but the phenomenal success in my view of the sport and leisure side of education. The Active Card, the alliance with New Directions, the community development through the football activities, for example, at Les Quennevais. I think they are phenomenal areas of success which are quite understated and serve as a model, hopefully, perhaps for the development further of the cultural sector. We have the introduction of nursery education, the last act in a sense of the former Minister and that will lead to a new era. There is the Cinderella status of culture which I will address later. There is the excellent work, despite ducks, of the heritage side. Again, areas which we tend to overlook because they do move along and they are not in the forefront of some of the more contentious issues. What do I see as the key emerging issues of the system? Those are some of the good things, excellent things. It is a service of which we can be immensely proud, but we cannot deny the fact that the world is changing around us. Society is changing, the role of the family, and these have all put enormous pressures on the education system. So, social issues I would put at the top. We have phenomena like bullying, which are much more paramount in the system, and the way we deal with them is very important. We have issues with dysfunctional families where schools have to step in and bear enormous burdens which would not have been contemplated years ago, and we have the decline in roles of secondary schools which have all sorts of implications. I do not think we have yet thought through these implications. Part of the problem of this declining role is the massive intake in Jersey into the fee-paying schools, which is 40 per cent. It has enormous implications for the state-run sector and those I will now outline. We have 4 feeder schools, as we know, to Hautlieu; 3 of these feeder schools are inclusive schools. In other words, for example at Haute Vallée they have a school within a school, a special needs school, for example. These types of programmes put enormous pressure on the curriculum and you have to remember also, and this came out if any of you can remember in the great Hautlieu/Highlands debate, which was one of the first debates I encountered when I returned and was heavily bruised in that as well. These come out in the creaming off effect that occurs at 14 which was much discussed in that particular debate. The fact that these schools, like Grainville, like Haute Vallée, like Les Quennevais, they lose a lot of their good pupils for academic reasons to Hautlieu at 14 and that creates enormous problems in keeping momentum, in keeping a sense of student leadership in the school, and there is no doubt if fee-paying continues to prosper, set against a background of declining roles, it will probably raise the issue of the future of a Hautlieu-type school in the system. We have a lot of schools that form a patchwork quilt. When there were attempts to rationalise this quilt in the great Hautlieu/Highlands debate it led to all sorts of territorial defensive positions and it made it very hard to move ahead with what the best could be termed somewhat of a rational solution. So, what are the kinds of options? I do not have the answer. It is a major question, but probably in my view one of the biggest questions we have to try and wrestle with in the next few years. We could look at 11 plus, politically probably out of the window. We could try and rationalise the role of the 4 schools and put them into a proper middle school system. We could try and deal with the academic/vocational divide and try and bring in, on the line of continental schools, a much more technical-oriented school rather than have this issue of trying to cram it all into Highlands when people arrive for technical training. We could try the

solution that was part floated in the great debate of about 1994. We could re-engineer Hautlieu as a 16 plus school and we could try the 1994 solution which, as I said, did not fly, Hautlieu plus Highlands would move into a joint tertiary institution. The irony is, when we abandoned free entry into the 6th form; in a sense that compounded the problem. So, that is the secondary sector where there are major challenging issues because it is not only reorganising those schools, it is the impact on Highlands, it is the impact on vocational training and, at the same time, retaining the academic excellence which has been such a feature of the Island system. It is trying to balance those things against declining roles, running 6th forms with viable numbers, *et cetera*. The impact on Parish primary schools, we have had that hanging over us. We had a partial rationalisation when we closed one of the town primaries and then we moved to d'Auvergne. There is still the possibility of rationalisation in St. Helier, but we all know that the parochial schools are important. Sports and leisure - I am going to rush, having had the bell - we have much to be proud of, as I have said, and I will not go into great detail. I am very pleased with developments like sport club support for training, development officers, an incredible momentum has been established, which I would want to keep. The issue there of course will possibly be Fort Regent. We have to bring new thinking to bear and we hope to lay to bed the whole idea of a big style conference centre and replace it perhaps with a smaller centre, more boutique centre, with the possibility of a hotel on site. There has to be new thinking because we have hit the wall with conventional thinking in that regard. Higher education: we have to; we have a lot of angry parents emerging with a payment of fees and with a possible payment of further top-up fees. We have to renew our status.

**The Bailiff:**

Thank you very much. Now I call for questions.

**1.4.1 The Deputy of St. John:**

Some of our primary schools are in need of playing fields, particularly the one in St. John. The playing field at our school, in fact, is used by the teachers as a car park and this is not satisfactory. If the candidate achieves the Minister's chair, would he tell us what he will do to put in place a dedicated playing field for the children of St. John.

**Deputy R.G. Le Hérisier:**

Obviously the whole position will have to be reviewed and while we admire the Deputy's promotion of the Parish, obviously the aim would be to sit down with the Connétable, with the Deputy, and see what other alternatives there are, particularly as he is indicating that the situation may revolve around misplaced car parking. So, I would try and sit down with the relevant parties and see if car parking is indeed the presenting problem.

**1.4.2 Deputy K.C. Lewis**

The Deputy touched on Fort Regent. Fort Regent was built as an Island fortress to keep people out. When they did away with the cable car many years ago it did just that, but many people still make the effort and enjoy the facilities there. As Fort Regent is at the very heart of St. Helier, what action would the candidate take to improve pedestrian access?

**Deputy R.G. Le Hérisier:**

As we know, on the in principle debate of a few years ago there was a possibility of a lift from Snow Hill, but of course not everybody wants access from Snow Hill. My intention, or if there were an Assistant Minister appointed, would be to look at the whole issue of whether the lift idea could be regenerated and if there were to be some private-public funding brought into Fort Regent, then hopefully that could be contingent upon the provision of better access because quite clearly a public-private partnership would probably want more traffic into it, plus of course there would be the development which we must not forget, of the Fort Regent heritage site which is one of the things we have forgotten. It is a stupendous site and as we know it has been utterly undersold in that regard and hopefully it can be regenerated.

### **1.4.3 Deputy G.P. Southern:**

I thank the candidate for an excellent academic survey of some of the major questions that were covered, I believe, and a solution was found in 1994, but the candidate failed to mention what his preferred solution would be to those issues. Can he now do so?

### **Deputy R.G. Le Hérisier:**

There are straight line solutions and there are political solutions. As the Deputy well knows, as he obviously was a participant in the debate, I presume, the issue will be to what extent vested interest will drive the result, or the extent to which rational debate will drive it. My view would be, and I do not believe I can come up with a dogmatic solution that would be utterly pre-emptive, this is not fence-sitting, there are too many interests at stake that have to be taken into account, but my preference, which is one I could not dogmatically assert, because it would not be my role to do so, would probably be to look at a 6th form college, to look at bolstering Highlands and to look at much more feeder support from Highlands from a more technical school and to see whether we can somehow mitigate the struggle which the 4 feeder schools are having to currently deal with between an academic and a vocational curriculum. I would like to see much more vocational emphasis in the feeder schools and it will really raise the issue of Hautlieu, quite frankly, because we have a hotchpotch of institutions and somebody is going to have to take, in the polite sense, a re-branding, or a new role in life; 6th form college, a new role for Highlands, and look at the secondary schools to see whether we can bring in a much stronger vocational element.

### **1.4.4 The Deputy of Grouville:**

Does the candidate believe that a teacher, or former teacher, is best-placed to occupy this very important political role?

### **Deputy R.G. Le Hérisier:**

No, in the sense that you do not necessarily need a professional from the profession and, in fact, a lot of people who come into management, and you often find in professions like social work, when they are put into management, or the political direction of a service, they do not necessarily prosper, because while they may have the content knowledge they may not have the particular managerial skills. Now, it does happen, although I have not been in management of late, my very first job I entered the fast-track programme of the prison service and I was trained as a manager in that service and I worked as a manager in certain categories of that service, so I did bring that particular contribution. It is certainly not a question of coming in with a blinkered view as a teacher because I have been much else, and I think I have a much broader range of knowledge and experience to bring to the position.

### **1.4.5 The Deputy of St. Martin:**

It has been apparent that Jersey has not been able to provide a local person to head our Youth Service. What steps will the Minister take to remedy this problem?

### **Deputy R.G. Le Hérisier:**

As the Deputy may know, I was on a little task force with the Deputy of St. Peter looking into this whole issue of why we were not getting local appointees into positions and we had a very constructive relationship involving people like Deputy Gorst, who at that time was politically in charge of human resources and the Human Resources Department, and it is more difficult with small departments because as people come up through those departments it is sometimes difficult to provide the variety of training, unless they agree to go away for a period and broaden themselves. If local people wish to be considered that is one of the things they are going to have to consider, that they will be offered a properly structured career development programme, if they have the potential, and as part of that they may well have to be prepared to go away to broaden themselves, but the Deputy is quite right, we get lazy about these things, we have allowed these appointments to take place and they have a knack of perpetuating themselves.

#### **1.4.6 Deputy J.M. Maçon:**

My question regards citizenship. The right to vote is extended to 16 and 17 year-olds, yet no provision was given to the education of these new voters. Does the candidate agree that provision to educate these new voters must be obtained, and what should this include, as debate alone is not enough?

#### **Deputy R.G. Le Hérisier:**

There were some provisions made. There were some schools where certainly States Members were invited, until it got nearer to the election and then we became uninvited people, perhaps a bit too precipitously. What I would say is obviously it is utterly boring to give people long lectures, and of course I have become an expert on this, as the Deputy knows. It is utterly boring to give people long lectures on Jersey history and Jersey politics and what is needed is participation and I was very proud to be part of a project where we worked with people like the now Connétable of St. Mary where debates were set up in schools on Scrutiny topics, for example. People were invited to take positions, Ministers were brought in and quizzed about their policies, and people were really involved, but of course you have to come up with topics that relate to those individuals. You cannot talk about esoteric topics, but maybe a little bit of history because I do not think people realise just how deep and rich Jersey's history is, but certainly one cannot overdo it, but make it participative, get people involved in debates, get some real adrenaline running about political issues that interest young people.

#### **The Bailiff:**

May I ask the candidate please to be a little more succinct in his answers?

#### **1.4.7 Deputy T.M. Pitman:**

I suspect from the Deputy's speech that he may just have run out of time, but from my experience there are indeed many angry parents. What help and support could he give if elected, to middle income families, who it is really their children, particularly if they have 2, being prevented from attending university because it just no longer affordable?

#### **Deputy R.G. Le Hérisier:**

I hope it has not reached the stage of prevention. I think the issue of Jersey as an overseas territory, thereby gaining the dubious status of overseas fees, this is the issue that has to be fought. We are on the periphery, physically speaking, of the U.K. and it seems very strange we have been given that status and I would hope that those particular negotiations can be fought much more strongly.

#### **1.4.8 Deputy J.B. Fox:**

Would the Deputy affirm equal opportunity commitments for all our young children and young adults?

#### **Deputy R.G. Le Hérisier:**

Equal opportunities is a phrase that is fraught with all sorts of meanings. It looks very simple. But, yes, I would affirm it and I would like to see local people considered for jobs. I would like to see them feeling that they have a real chance to progress.

#### **1.4.9 Senator P.F.C. Ozouf:**

What does the candidate think of the education management team?

#### **Deputy R.G. Le Hérisier:**

It would be remiss to talk of individuals. I think they are very hard-working. They are very dedicated. They are largely, apropos the question of the Deputy of Grouville, from education itself and perhaps we need a bit more of a mix. I would say they are a very dedicated group, but like

every group that has been there a long time, or where there has been a degree of continuity, a shake-up and the bringing in of new thinking to broaden the base of experience would be good.

**1.4.10 The Connétable of St. Mary:**

In these days of mass population movement many of the pupils in our schools speak an alternative language, a second language, purely by virtue of their heritage, but does the candidate consider that enough resources are given to the teaching of the Island's other official language i.e. French, and in particular does he believe that this teaching starts early enough?

**Deputy R.G. Le Hérisier:**

Jersey used to be ahead in terms of French teaching at primary school level. No, it needs to be stressed much, much more and there was an idea floated, as I recall, from the Chair that we might look at the whole idea of a bilingual school. Other countries have done it. Canada has been very successful in terms of emersion education where you go in, you speak French, and then you gradually move to English and your English does not suffer while you are undergoing that movement. If anything, it gets even better, surprisingly. So, we need to re-examine that issue.

**1.4.11 Deputy A.E. Jeune:**

I did not hear the Deputy speak about culture in his address. I would therefore ask the Deputy now how he would take the 2005 cultural strategy forward over the next 3 years, if elected to this Ministry.

**Deputy R.G. Le Hérisier:**

The Deputy is quite right. I obviously ran out of time, as suggested. I am not one of those people; I think it was Himmler said: "When people speak of culture I reach for my gun." I think culture is very important and I think it is an appropriate moment to praise the Deputy of Grouville for the excellent work she has done in the face of enormous lack of resources. The model, and I have discussed this with her, is the sports and leisure model which is phenomenally successful, well-financed, perhaps too well-financed, and my view is that that is the one to which we will aspire. It will take a long time. The council I would like to re-examine. I really wonder; there are some excellent people there. We know the cultural community is a fascinating community, like the amoeba it bifurcates continuously and I would like to re-examine that and to see whether the great hopes that were invested in the Cultural Development Officer have materialised. I somehow think the goodwill is there but somehow the organisational means has yet to be found.

**1.4.12 Senator S.C. Ferguson:**

I understand that school inspections take the form of peer group reviews by other local head teachers. Would the candidate support the concept of independent inspections from independent bodies such as the independent schools inspectorate, and would he be prepared to publish the reports?

**Deputy R.G. Le Hérisier:**

Absolutely. I think it should be a mix. There is no doubt the Jersey scheme, which of course was a deliberate attempt not to emulate the U.K., was a good one in that it brought teachers, principals, people like that on board to take an active role in looking at their school. The independent element, as I understood it, was provided by Guernsey, I think, and the Isle of Man. I would want a much stronger independent element, but to retain the involvement of staff. That was a very positive side to Jersey inspections. Publication of inspections, excellent.

**1.4.13 The Deputy of St. Mary:**

The candidate mentioned in his speech: "The world is changing" and I wondered what emphasis he would put on global citizenship.

**Deputy R.G. Le Hérisier:**

I think massive emphasis. We all know the problems of crowding out by the national curriculum, or the version adopted in Jersey, and that does pose problems, but I have absolutely no problem. We are an interconnected world; issues of oil, resources, the environment, as we have seen only too clearly in the last few months, the impact, and they have a massive interrelationship and we need to be literate in them.

**1.4.14 Deputy S. Pitman:**

It is my understanding that the P.S.H.E. (Personal, Social, and Health Education) curriculum is jam-packed with subjects to the point that issues like bullying, raising self-awareness, discrimination, are not given the time that they should. It is of my opinion that such subjects are better addressed through youth work where the relationship between youth worker and young person is informal and therefore the young person is more likely to be open about their feelings and opinions. If elected, will the Deputy give the Youth Service more of a centre stage than it has previously in educating young people and children, and how will he do this?

**Deputy R.G. Le Hérisier:**

I would say several agencies are involved, but the Youth Service obviously because it has a more informal and less authoritative, hopefully, relationship with young people. Yes, would be ideal, but I think we have to look at the whole range of agencies involved in order to work this out, but I have no problem with the Youth Service playing a more prominent role.

**1.4.15 Deputy A.T. Dupre of St. Clement:**

The Fort Regent pool is in a terrible disgrace. What are your thoughts about using that and changing it into gym facilities that are much needed in the Island?

**Deputy R.G. Le Hérisier:**

As I said, one of the great success stories of Fort Regent has been its reincarnation as a gym centre through the Active Card in particular. I would have no problem looking at that. I think what we would need though is to ensure that the gym facilities that we have are being used to the optimum at the moment because clearly it would cost a lot of money. There are a lot of ideas floating around about that pool at the moment but I have no problem with that being considered as one of the priorities.

**1.4.16 Deputy M.R. Higgins:**

Would the candidate explain how he would deal with the education of those who have been excluded from school and all those who, for one reason or another, have fallen behind their contemporaries.

**Deputy R.G. Le Hérisier:**

Obviously we have 2 special units that deal with that at the moment. The aim obviously is to keep people as much as possible within the system, but that poses enormous issues and problems for the staff in managing the rest of the school, particularly, as I said, since we put those 4 feeder schools under enormous pressure in the course of our structure. My view is to throw in as much social service and education, joint support, and I have been very impressed at the way schools like Grainville do that at the moment, and at all costs try and avoid the exclusion. I think Jersey does a very good job because you do not want people wandering up and down King Street leading totally aimless lives because they have been excluded from the system and we are not providing support. I think we are sensitive to that, but clearly we have to work harder at it.

**1.4.17 The Connétable of St. Lawrence:**

If elected, what would be the 3 priorities for budget allocation across the department?



**Deputy R.G. Le Hérissier:**

Well, a lot of the budget in a sense is a fixed budget, but it would probably be, insofar as you could shift money, numeracy and literacy, as came out in the criminal justice debate yesterday, is a major issue; people going into life without basic skills. It has all sorts of social consequences which we live with. The revamping of the secondary sector that I mentioned, and, because I think they have done stupendously well with a small amount of money and really need a reward and incentive, the cultural area.

**1.4.18 Deputy R.C. Duhamel:**

What will the Deputy do to give accelerated learning opportunities, or curriculum enrichment, to the potential student highfliers?

**Deputy R.G. Le Hérissier:**

There are ways of doing this by arranging for additional tuition support and I think that would be the main way I would do it. I would be very reluctant to carve out separate classes and to carve out more separate status in the system because I think it has sometimes perverse consequences. But I would be quite prepared, in co-operation with parents, to look at the issue of additional tutorial support.

**1.4.19 The Deputy of Trinity:**

A question about free education for 3 year-olds. What does he see would be the implications of putting it into place?

**Deputy R.G. Le Hérissier:**

I think the implication is that expectations will be raised, and having offered a certain number of hours we could well be under pressure because the boundary between education/childcare is at times a fuzzy boundary. We could be well under pressure very quickly to produce more and to produce wrap-around services which are already being looked at and I think that will be the issue.

**The Bailiff:**

May I ask the candidates to return to the Chamber and any other Members in the precinct who wish to vote to return to their seats please. I will ask the Assistant Greffier and usher to collect the votes. Have all Members placed their votes in one or other of the urns? In which case I shall ask the Assistant Greffier and Scrutiny Manager to act as scrutineers. Members might like to know, while the counting is taking place, that a letter has been despatched to Colonel Guille, the Seneschal of Sark, in the following terms: "Dear Seneschal, Members of the States have followed with interest the constitutional changes in Sark. At a meeting of the States Assembly this morning Members expressed their great concern at the news of redundancies which followed the outcome of the recent election, particularly at this Christmas period. Members have asked me to assure you, on their behalf, of their full support for you, the members of the Chief Pleas and all the people of Sark."

**[Approbation]**

**2. Minister for Housing**

**The Bailiff:**

Would Members wish to proceed with nominations for the Minister for Housing? Very well.

**Senator S. Syvret:**

Sir, I take it that none of the 4 candidates would be a candidate for the Minister for Housing in the event of them being unsuccessful.

**The Bailiff:**

That is the implication of my question. I take it the answer is in the negative.

**Deputy J.A. Martin:**

No, Sir.

**Senator T.A. Le Sueur:**

I am happy to propose my final nomination for Housing but it does occur to me that it is likely we will not get a clear result from this first ballot, as perhaps it is not feasible to proceed, should there be more than one candidate for Housing, but that is part of the proceedings. Meanwhile, I nominate for Minister for Housing Senator Terry Le Main.

**The Bailiff:**

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

**The Deputy of Grouville:**

It gives me great pleasure to nominate Senator Alan Breckon for the Minister for Housing.

**The Bailiff:**

Is that nomination seconded? **[Seconded]** Are there any other nominations for the Minister for Housing? If Members agree I think we will avoid complexity if we simply wait for the outcome of the voting. I can now give Members the result of the first ballot: 16 votes were cast for Senator Routier, 13 votes were cast for the Deputy of St. John, 12 votes for Deputy Le Hérissier, and 11 votes for Deputy Martin. Deputy Martin therefore drops out of the equation and ...

**Senator A.J.H. Maclean:**

Sir, it was the Deputy of St. Ouen, I think.

**The Bailiff:**

They must be on my mind all the time. Will I ask the ushers to circulate further ballot papers?

**Deputy P.V.F. Le Claire:**

Sir, I beg your pardon, there seems to be some confusion now as to who drops away there.

**The Bailiff:**

Deputy Martin gained 11 votes and is dropping out at this time. So, the second ballot is between Senator Routier, the Deputy of St. Ouen, and Deputy Le Hérissier. I again ask the Assistant Greffier and Scrutiny Manager to act as scrutineers. I wonder if I might perhaps, in the wait for the count, sound Members out as to how we are to proceed in the election for the Minister for Housing. It seems to me, having consulted with the Greffier, that if Members start the process of electing the Minister for Housing they must really finish it before we adjourn for lunch because otherwise Senator Breckon will be abandoned in the sound-proof room **[Laughter]** which would be most unfortunate. **[Laughter]** Members, I think if we start we must carry on until 1.10 p.m.

**Senator T.A. Le Sueur:**

I would support that. I note that in the Standing Orders after the list of Ministers has been fixed there is provision for a short break. I think Members were all concerned that they wanted to get as much work done as they can today. It does strike me if they are going to stay here until maybe 1.15 p.m. on the election for a Minister for Housing, maybe we could return at 2.30 p.m. to give it a bit more time for some of the machinations that might need to go on in that period. **[Approbation]** Whether 2.30 p.m. is an appropriate time I leave it to Members to decide, but I think a slight delay would be in order.

**The Bailiff:**

Do Members agree in principle to come back at 2.30 p.m.? Very well.

**Deputy R.C. Duhamel:**

Could I ask a point of clarification, please? When will the House be advised of the positions for Assistant Ministers? Will those positions be announced before the elections for P.A.C. (Public Accounts Committee), P.P.C. (Privileges and Procedures Committee) and the Chairmen, or ...?

**The Bailiff:**

I think that process comes much later, Deputy. I think next Tuesday, I think I am right in saying, is the ... and I can announce the result of the second ballot: 16 votes were cast for Senator Routier; 16 votes for Deputy Reed and 20 votes for Deputy Le Hérissier. **[Approbation]** We now have to go to a third ballot to decide which of Senator Routier and Deputy Reed falls out of the reckoning and I ask the usher to distribute the ... Members are now voting as between Senator Routier and the Deputy of St. Ouen and the candidate securing the lowest number of votes will fall out of the equation. Senator Routier or the Deputy of St. Ouen.

**Deputy J.A. Martin:**

Sorry, Sir, I am probably being very thick here. **[Laughter]** I want that totally clarified. If I vote for Senator Routier and he gets some more votes, he will be the candidate against Deputy Le Hérissier? Quite straightforward. If I vote for Deputy Reed and ... yes, fine. It is just ...

**The Bailiff:**

That is exactly right.

**Deputy J.A. Martin:**

Thank you; it was not being explained to me quite that simply. Thank you.

**The Bailiff:**

I again ask the Assistant Greffier and Scrutiny Manager to act as scrutineers. I can now give Members the result of the third ballot: 23 votes were cast for Senator Routier; 29 votes for the Deputy of St. Ouen. **[Approbation]** Senator Routier therefore falls out of the running. I ask the usher to distribute ballot papers and the final ballot is between, therefore, Deputy Le Hérissier and the Deputy of St. Ouen. I again ask the Assistant Greffier and Scrutiny Manager to act as scrutineers.

**The Deputy of St. Martin:**

I wonder if we could just clarify a little point which is concentrating the minds of some of the Members around me, which I think is quite valid. It is a situation, we are going to have the gap - a sufficient gap - between the election for the Chairman of P.P.C. and then the appointment of Assistant Ministers because quite clearly those who are Assistant Ministers would not wish to be considered for anywhere on Scrutiny; however, they need to know if they are going to be an Assistant Minister before the elections are for Scrutiny. I am wondering how big a gap there will be left to ensure there is this time for people to be at least sought ... their opinions sought where they wished to be an Assistant Minister and also time for it to be clarified by the Chief Minister, because I gather that they must be confirmed by the Chief Minister before an Assistant can be appointed to the Minister. Is there some way in which we can talk about that or discuss that while we are waiting for the vote?

**The Greffier of the States (in the Chair):**

I think perhaps all I can say from the Chair are 2 things before I perhaps invite the Chief Minister designate to comment. Members who were in the Assembly in 2005 will recall, of course, there was no gap at all; the Assembly passed immediately from the selection of Ministers to the selection of the Chairman of P.P.C. and the other Chairman. A recent amendment to Standing Orders allows the States to invite to decide whether to adjourn and continue either at a later time on the same day or at 9.30 a.m. on the next working day. The Chief Minister designate has suggested that the lunch

adjournment would be sufficient adjournment, but if Members wish to revisit that decision before we adjourn for lunch that is possible. The appointment of Assistant Ministers, of course, is not covered by States involvement; it is an informal process that takes place outside the Assembly. I do not know to what extent that will be concluded by 2.30 p.m. or 3.00 p.m. or to what extent Members who are appointed as chairmen will then pass up the chance of being Assistant Ministers. Is there anything you wish to add, Chief Minister designate?

**Senator T.A. Le Sueur:**

No. I am very much in the hands of the House here. It would be possible for us to wait until Monday to do all these things and that is really up to Members. I think there is a difficulty here in trying to get a team of Assistant Members totally in place by 2.30 p.m. this afternoon. While I will endeavour to get many of those nominations in hand, I do not think it should really be a reason for delaying the appointment of chairmen of Scrutiny Panels. I want to see strong Scrutiny in the 3 years ahead and I do not want it to be regarded as a sort of third-rate, also-ran situation. I think it may well be that even if the total list of Assistant Ministers is not complete at this stage that we should proceed. As I say, I leave it in the hands of Members.

**Deputy G.P. Southern:**

If I may, I would support the sentiment of the Chief Minister there. I believe the next most important roles to be filled are the chairmen of the Scrutiny Panels. **[Approbation]** That is essential to the working of this House and the best calibre people available, apart from the Ministers, should be in place.

**The Greffier of the States (in the Chair):**

Very well. We will address the length of the adjournment because obviously the time has been slightly longer than was anticipated. I can now announce the result of the ballot for the Minister for Education, Sport and Culture: 22 votes were cast for Deputy Le Hérissier; 30 votes for the Deputy of St. Ouen and I accordingly declare that he has been appointed as Minister designate. Very well. Is the Assembly content to proceed until approximately 1.20 p.m. to undertake the Minister for Housing? Very well. I will invite Senator Breckon, please, to retire to the Le Capelain Room. I will then invite Senator Le Main to address the Assembly.

**2.1 Senator T.J. Le Main:**

Housing have now a very professional, loyal and dedicated workforce. Over the last 3 or 4 years things have changed so much for the better; particularly in the last few years since I took over the reins of Housing. We have put into place policies that have provided Jersey people with thousands of homes. The trusts themselves currently have around 1,000 homes. I always remember in 1999 when I first joined the Housing Committee there were 2 small adverts for rental in the *Evening Post*, just 2 small. There was nothing. Every month, once a month, I go to Communicare and also to Age Concern and do a housing surgery, mostly with my Assistant Minister then, Deputy Hilton, and originally when I first started that some years ago there were literally queues of people at Communicare. I worked very much with Captain Le Page there, where people were in real extreme difficulty on housing issues, housing qualifications, all sorts of issues. Those days are long gone and everyone now is working together; the departmental offices in partnership with our tenants and clients. Now we have tenants' forums, high-rise panels, and this has created great working partnerships and now our clients have a real say in their homes. This has created great tenant satisfaction. What a wonderful feeling now that virtually on a daily basis I am getting calls from elderly and other tenants that their lives have changed since they moved into, or are living in, refurbished accommodation. Can I say today a public thank you to Deputy Hilton who has been a great caring Assistant Minister, **[Approbation]** who has assisted me so much in changing the lives of ordinary Jersey people. Much work is in progress and all of its policies set by this House, this Assembly, in its 2009 Business Plan. I gave promises to this House to bring forward a housing

review, review of tenancy laws, and many more. Currently there is a fundamental review of social housing being undertaken by Professor Christine Whitehead of Cambridge University involving all the stakeholders, which is nearly complete. This will go out in 2009 as a Green Paper for public consultation. After lengthy consultation a report and proposition will be lodged with this House for debate in July. It will require difficult and far-reaching decisions; decisions we cannot duck or put off. This Assembly have given me a job and I have not finished it. I have the need for Members to have an input into the new policies within this document. Currently we have £130 million pounds' worth of work planned and in progress. Just look at some of our completions: Clos de Roncier, Clos de Fort, Le Squez, La Marais, and many others in St. Helier. Homebuy, shared ownership sales for tenants, well underway. Some 103 homes out of 800 already been sold to tenants. I intend, if elected, to work with Members to achieve a successful home ownership scheme. I am well aware that there are some who are unsure that the home ownership's trial on the 3 current sites would succeed. By working with Members and Scrutiny we must succeed and we will. I promise to relook at all the old policies. I promise to relook at the old States loan system scheme to see if it could be adapted to meet today's needs. If re-elected, this would be one of my first requests of Scrutiny. We are fully involved - I am fully involved - as a partnership with Planning on Island Plan issues and policies, especially Homebuy, lifetime sheltered and downsize homes. Gosh, have we not worked well with the Connétables and getting this Assembly to support the Minister for Planning and Environment to rezone some land for shelter and social homes that the Constables had identified in their Parishes for their parishioners. The Connétables were magnificent in responding to the needs of the parishioners. Thank you. The continued management of the Social Housing Property Plan, one of the boldest plans and bits of policy that Housing have ever done. The good news, not one capital overspend since I have been in charge of Housing over the years; not one. Implementing the policies to meet the aims of the Strategic Plan, such as increasing home ownership from a low 50 per cent to hopefully, over the next few years, 65 or 70 per cent. Please remember that the housing and population policies are policies that this House have directed me to do. I am doing nothing but the policies of the Assembly. This is the only Housing departmental work among many others we are doing in Housing. We also have a huge amount of work started in progress within the housing law and population side of the business. Work in progress, something this House has been desperately wanting: new tenancy laws, tenant deposits. Something that was virtually completed a month ago and I have delayed it especially so we could take it through to have ... the new Members of this Assembly could have some say in some of these new policies. I have delayed the tenancy law specifically for January so you could all have an input in it; not try and pass it on an old House. It is such an issue with people: rental deposit protection for tenants and landlords, more security for tenants unqualified and in the unqualified sectors. I would like to come to the ... if I had the evidence, come to the Assembly in the first quarter of next year with a further reduction as in qualification only if there is evidence to support that reduction. I am well aware that there are some Members uneasy on this subject, but I hope to consult with any Member before coming to this Assembly with any proposals. They are not my proposals. I have a duty to do it. I have people asking me, they ring desperately, they are contributing, they are working hard, they are bringing up children - Jersey-born children - and they need accommodation. I could have made those decisions on reducing qualifications under my mandate, but no, I want to share it with the Assembly. I want Members to work with me. I want Members to make the decision with me so that the decisions are good decisions. The hugely important continued work on the States Migration Policy, which is so well advanced and led and assisted by Deputy Gorst, who has been greatly involved in determining many of the decisions and requirements of business and, of course, social request. The next 3 months, the advising to the States of the progress report on the Social Housing Property Plan, which this House approved in 2007. I would like to see the creation of a sub-committee to assist in determining current issues expressed by Members. Share transfer flats by non-resident, unqualified purchasers. Bringing back perhaps the old States loan scheme for first-time buyers. I am well aware that there is concern expressed by Members, and I am sure new Members because I intend to invite new Members to come and talk to me or talk to the Housing

Department, the Population Department, if you re-elect me in the New Year. I have already started, as I say, looking at some of these concerns. I have started, along with Senator Ferguson, on her concerns. I know that Deputy Le Claire has concerns on reducing housing quality. I intend to continue this dialogue like I have always done and I shall be seeking very much the assistance of Scrutiny, as Scrutiny in the last year or so have been a wonderful help to me and to my Assistant Minister for Housing. As I say, in the New Year there will be an invitation to all new and existing Members to meet, so all issues, our policies and what we are doing and what we are not doing can be addressed and explained. It is important that Members and old Members can come along. There is much work in progress and the need for an experienced, steady hand on the tiller, especially over the needs of the business community in regard to essential employees, hardship housing cases, the ability to work as a team player with other Ministers and their departments and very importantly being able to work and share policy issues with Scrutiny and all Members. The Minister for Housing needs to listen and work with Members because he or she cannot do it on their own. I am a good listener. Can I say that ... I am not going to finish my speech, but can I say that this Assembly have given me direction on policy. Just as I am ready to deliver early in 2009 the tenancy law, social housing review, deposits, migration, then you have it in your hands today to take it away from me. I need this Assembly to allow me to deliver what I have promised you, what you have allowed me to do on the policies. It is totally important to have a strong, steady and fair hand on the tiller. Thank you.

**The Greffier of the States (in the Chair):**

Very well. We now pass to the question period. The Connétable of St. John?

**2.1.1 Connétable G.F. Butcher of St. John:**

In the recent times we are in a sort of housing crisis in terms of mortgages and things like that and the first response of the present Minister was to reduce the term down to 10 years. That will probably stimulate demand, although I am not quite sure whether that is his role or not. It is also going to stimulate demand for rental demand on his stock. The question is how will he cope with that demand when selling off the stock?

**Senator T.J. Le Main:**

As I have explained, I intend fully that once my offices have gathered the evidence on all the issues in regard to the pros and cons on the data and the need and the issues on reducing housing qualifications, I will share it with Members, I will share it with Scrutiny, if necessary, and I am going to come back to this Assembly. I will be making no decisions until I have the evidence before me. I will need firm evidence that it is not going to distort the market in any way and not cause any hardship to the market and the local people.

**2.1.2 The Deputy of Grouville:**

This Assembly supported a clause in my rezoning proposition debated on 2nd April this year, requesting the Comité des Connétable to bring forward a criterion for putting names of people on their sheltered housing lists. To date, no such list has been produced, no such criteria has been produced and in the absence of an up-to-date census, what data was used for the Senator to claim that we have an urgent desperate need for sheltered housing that apparently required 60 vergées of our countryside to be rezoned?

**Senator T.J. Le Main:**

I just cannot believe the questioner. The issue is quite clear that we had many discussions with the Minister for Planning and Environment and myself with the Connétables and we asked the Connétables to please go away to see and identify any needs they may have for their requirement for lifetime and sheltered homes and they came back. I did not put the information ...

**The Deputy of Grouville:**

What data was the question.

**Senator T.J. Le Main:**

Can I just finish? I did not put the information in the hands of the Connétables but currently at that time, there was a waiting list of 370 people in need of one-bedroom sheltered lifetime accommodation. It is down today to 314 and 314 of those will need some kind of ground floor or lift type accommodation and we are stuck at the moment and the issue is quite clear. We have the data from Dougie Peedle, from Planning and from social property surveys we did. The evidence is quite clear and with a growing ageing population, it is getting worse by the week.

**2.1.3 Deputy K.C. Lewis:**

I think the Minister has already partially answered the question. In the present economic climate, will the Minister be promoting shared equity, the reintroduction of States loan and the retention of mortgage tax relief?

**Senator T.J. Le Main:**

It is a categoric yes, and if you elect me I promise faithfully that I will speak to any Member and I will ask Scrutiny or I will endeavour to set up a subcommittee like we did recently on the criteria for the Gateway for Homebuy so that we can move forward with some of these issues. I know they are sensitive but I know they are worth following up, and I would totally support what the Deputy has just said.

**2.1.4 Deputy T.A. Vallois of St. Saviour:**

Can I ask the candidate his vision for the future of the Homebuy scheme, considering the current economic climate?

**Senator T.J. Le Main:**

The Homebuy scheme is a trial run on currently 3 sites and we have around 200 approved people wanting to buy through their gateway through the current system and the Minister for Planning and Environment has promised that in the next load of Island Plan recommendations, there will be in there policies to allow for further Homebuy ownership. Currently, there are mortgage lenders willing to lend on home ownership and the home ownership scheme that the States are currently dealing with so the outlook is very, very bright. At the end of the day, we are hopeful that the Island Plan will deliver and come with brown field sites; brown field sites, not open green field sites, but hopefully brown field sites which will give much more opportunity for young people to have home ownership.

**The Greffier of the States (in the Chair):**

Try and keep your answers a bit shorter, Senator, and we will get more questions in.

**2.1.5 Deputy S. Pitman:**

As it took the Senator 2 terms as President of Housing and then one term as Minister, that is 9 years, to finally recognise that a colossal amount, approximately £90 million worth of States housing stock needed to be maintained, does he think this is the actions of a competent Minister for Housing?

**Senator T.J. Le Main:**

Absolutely. As I say, in 1990 when I went on the Housing Department, there was in the *Jersey Evening Post*, if anybody goes in the library, 2 little adverts. You have pages of accommodation. There have been policies put in place. I know that the Deputy has been opposed to housing trusts. We have housing trusts now providing homes for ordinary people, thousands of new homes there. They are going to provide more in the future. We now have this property plan done 2 years ago in 2007, which this House voted by 41 votes to 6 or 7, totally working now and providing home

ownership and providing the monies to carry forward for refurbishment, £130 million worth of work being done at the moment. I invite anyone in the New Year to come with me and I will take them on a day out and see how the lives of people have been changed by this major investment at not having to run to the Chief Minister or the Minister for Treasury and Resources for capital funding. [Approbation]

#### **2.1.6 Deputy M. Tadier:**

I welcome the Senator's suggestion or hints that he may look at bringing back the States loan. I know it is something that has helped families in Jersey in past years. I was interested to note - and correct me if I am wrong - a couple of weeks ago in this Assembly before I was in it, you said it is not the job of the States to lend people money. How do you reconcile those 2 views?

#### **Senator T.J. Le Main:**

At the end of the day, it has been the policy of the Treasury and Resources Department that it is not the States policy at this present time to be lending money, and there were better deals out in the private sector with the mortgage lenders, but the climate has changed dramatically. There is now an issue with mortgage lending and borrowing and what have you. You cannot have your policies in concrete. The time has come again and there are many Members of this Assembly, including myself, who believe that the old States loan may be a tool to create home ownership like the Deputy's mother and father probably did and I did originally when I started, and I intend to pursue any of the new policies and relook at all the old policies in the future because we need to move forward as the climate changes.

#### **2.1.7 Deputy P.V.F. Le Claire:**

The Minister introduced a series of groups, high-rise groups and tenant groups, to work on the communities they have been involved in. How has that been working up until now? How is that going to progress? Is it supported by these people in a real sense and what does the department do, what does the Minister do expressly, to show how he values this important group of people?

#### **Senator T.J. Le Main:**

This is one of the success stories, the high-rise panels, the tenants' representatives. It is absolutely fantastic. I just have to say to this Assembly that last night I hosted a Christmas party for 70 of our tenant groups at the Pomme d'Or Hotel, a light buffet by the way, not too expensive, and we were rewarding these people who are participating and assisting us in making the lives of their fellow tenants in all the high-rise panels, and we being able to listen and gain experience from them. It is a wonderful experience now and I urge anyone who can talk to some of these people, they are not second-class citizens like years ago. A tenant was classed as a second-class citizen years ago. They are our clients now and we have this working relationship, and last night my Assistant Minister and I hosted a party for them and it is absolutely wonderful and it has grown by the day on all the estates.

#### **2.1.8 Deputy D.J. De Sousa:**

What will the Minister do, if re-elected, to help the young? We all have family members that wish to stay on the Island but they cannot afford to get on the property ladder. They cannot rent. They find it very difficult to move out of home.

#### **Senator T.J. Le Main:**

In an ideal world, all our youngsters - and I have brought up 3 youngsters - all our youngsters of 17 or 18 get a bit fed up living with mum and dad and they would all like to move home and there is a difficulty. We are only a small island and at the end of the day, unfortunately, some of our children have to stay with us a little bit longer. I quite understand the point made by the Deputy. Perhaps it is something else we should be looking at but, with the policies in place at the moment, there are now opportunities for young people to get more into home ownership. It has always been a tricky



problem and the rent rebate reflected that under the ages of 25, but I would be very happy with anyone who has views on this like the Deputy to meet up in the future and to discuss that. I am very happy to put into place policies that are going to meet the needs of our Jersey and our renting population but we must be very careful that we do not have policies in place that create an unwarranted demand on resources and everything where the wish list is out of this world.

#### **2.1.9 Deputy J.A. Martin:**

The Senator talks about his clients and he has just stated that there are still 314 on the social housing list waiting for much needed ... and I know because the department has told me, they either need ground floor or lift access so they can live in these homes for the rest of their lives. In all conscience, how can the then Minister for Housing pass up a perfect site for state of the art sheltered housing in social at Ann Court for housing 800 cars?

#### **Senator T.J. Le Main:**

I would like to say that I am a team player. I have explained this, I am a team player. There has been a request. There was a petition from 16,000 or 17,000 people wanting a town park in the east of St. Helier. I am playing my part. At the moment no decision has been made. The site had to be redeveloped and it is currently going to be demolished. Now, this Assembly will make the decision whether the Housing Department will retain the site or it will use the site for what this Assembly wanted to create, the town park. It is out of my hands. At the moment, the administration is under Housing. We were going to redevelop it. We brought it forward. We changed Convent Court. We changed it backwards. There is a request and a demand because 16,000 people in St. Helier want a green park and this is an opportunity now to work corporately with other departments in providing that facility. Now, if the States, at the end of the day say: "No, we want some sheltered housing on the site", well, that is down to the States, and I am happy that.

#### **2.1.10 Deputy R.C. Duhamel:**

Will the Senator, if elected, be seeking an Assistant Minister?

#### **Senator T.J. Le Main:**

Yes, but unfortunately I know that if I am elected, I am losing my current Assistant Minister and if you re-elect me, then I intend to seek compensation from the Minister for Home Affairs [Laughter] for nicking a very good Assistant Minister.

#### **2.1.11 The Deputy of St. John:**

We have seen quite a number of properties built in the 1970s and 1980s being demolished because of lack of maintenance over the years. If he is re-elected into the chair of this particular ministry, what will the Minister do to make sure that proper money is ring-fenced for maintenance on the properties?

#### **Senator T.J. Le Main:**

The Property Plan, when it was debated by this House, was also to create a large fund where ongoing maintenance in the future would take place, so I am very, very confident that over the next 10 years we are going to have our stock right up-to-date in modern, new accommodation where people are nice, warm and affordable and there will be money in a fund which is what this Assembly approved in 2007. There will be several million pounds and once we have finished our 10-year plan, the income derived is assured with the rental income that we are going to have more money coming in and we are going to be able to maintain our stock. Years ago, with stop start, stop start: "Yes, you can have a few million pounds, no, you cannot", and it was an absolute mess. The States have now given us guidance and a way forward for the future that I and future Ministers will be able to really move forward with making the lives of people as is happening now. It is unbelievable how the lives of people are changing now.

### **2.1.12 Deputy M.R. Higgins:**

Going back to the question of the sheltered housing and the reallocation of land, is the sheltered housing for the over-55s or is it for the over-75s as some of the Parishes require, or those in need of care assistance? What does sheltered housing mean?

### **Senator T.J. Le Main:**

We have a policy of lifetime homes, really, where it is over-55s, that people can retire and live in their own home and access the services they need as they get into old age with family nursing and what have you. Sheltered housing is normally the role of the Connétables, who have it in their Parishes, and the Constables normally have a Warden and what have you. As I say, policies are not cast in stone. Although the Housing Department have had no sheltered housing apart from George V Cottage Homes as such, there is no reason in the future, with an ageing population, that some developments could not take place where there is a Warden and there is an ownership by the States in looking after people. I have no problem with that and if this House are saying to me or saying to the Minister for Housing or the Housing Department: "That is the way we have to go because we need it", then we do that.

### **2.1.13 The Deputy of St. Mary:**

A landowner at present gets a huge unearned windfall when his or her land is rezoned or otherwise assigned to be used for housing and this increase in value is a shameful form of lottery in my view and the cost ends up as part of the cost of housing one way or another. The situation also clearly lends itself to corruption or the perception of corruption. Does the candidate agree that this situation has to be tackled before the Island Plan progresses to the discussion of specific sites?

### **Senator T.J. Le Main:**

The Deputy of St. Mary ought to ask that of the Minister for Planning and Environment because I have no say in rezoning, purchase of land or anything at all. I cannot build one home on any kind of rezoned land. It is in the hands of the Minister for Planning and Environment and the issue is quite clear that the Deputy is right. The land values are far too high when it is converted from agriculture to development, but we have looked time and time again. We have sought advice from the Crown Officers on the basis of being able to purchase the land as agricultural and rezoning it and we are always advised we cannot do that, but the question has to be directed to the Minister for Planning and Environment.

### **2.1.14 Deputy T.M. Pitman:**

Are there families living in States-owned high-rise flats that are unable to get houses with gardens because they are told there is not enough stock? Is it also correct that such accommodation is currently being sold off at the same time and how would the Senator balance it?

### **Senator T.J. Le Main:**

The only stock that is currently being sold off is what has been approved by the States and this Government by this Assembly in 2007 where up to 800 homes will be sold over a 10-year period and they will be sold to those sitting tenants. There are homes being sold in Grasset Park, there are homes that are going to be sold in Clos de Roncier, D'Hautrée Gardens and other places, and this is the policy of the Assembly. Yes, many of those have gardens and they are homes and this Assembly, in the Strategic Plan, have directed me to create more home ownership. Now the States policy is to increase home ownership from currently low 50 per cent to 65 or 70 per cent as in Guernsey and other places.

### **2.1.15 Deputy G.P. Southern:**

Can the candidate justify his statement that we should reduce housing qualifications down from 12 years thereby increasing demand for housing and that this may bring house prices down. How can he justify it?

**Senator T.J. Le Main:**

If the Deputy had read the *Jersey Evening Post* ... for once it was correct although the leader was totally misleading. The leader the other night was absolutely horrendous because it had nothing to do with me railroading stuff through the States. The Minister for Planning and Environment took the rezoning of the Connétables to the States but the issue is quite clear that I said I would seek the evidence, I would need the evidence to back up any reduction or coming forward to this Assembly.

**The Greffier of the States (in the Chair):**

Thank you, Senator. I will ask Senator Le Main to withdraw to Le Capelain Room while Senator Breckon is invited back into the Assembly. You have caught your breath, Senator, and are ready to address the Assembly? I invite you to commence.

**2.2 Senator A. Breckon:**

I think it is appropriate to start by paying a compliment to Senator Le Main and Deputy, as he was, not just for his 9 years as Housing President and his 3 years as Minister, but also as a good town Deputy. He was people-focused and I think he always will be. For my part, over the last 3 years, I have been Chairman of the Health, Social Security and Housing Scrutiny Panel. I say that because I think it has given me an insight into the affairs of the Housing Department and what has been going on. I am aware of the importance of quality, affordable homes. I think it is the backbone of any community, regardless of your status. I am aware of the emerging issues. I am aware of changes to the rent subsidy system, to the income support system, and I think with those direct payments it has reduced arrears and I think we should leave it as it is and not tinker with it for now. It is still settling in. I am aware of Jersey's housing assessment done by the Statistics Unit and I think that sets some challenges for us up to the year 2012 and beyond. There are some emerging issues that need addressing and it tries to address issues of supply and demand. Accompanying that are people's hopes and aspirations and it is a very, very delicate balance. P.75 of 2008 was also brought to this House and it was about the provision of allowing for lifelong dwellings for people over 55 and I should declare an interest because I am now 56. I was about 35 when this argument started, I think, and added to that was first time buyer homes. I was a little bit disappointed in that and the reason I say that is because it was brought before the review of the Island Plan 2009 and I was never convinced by the arguments. I think it was unfair on the Connétables when they received a representation saying: "This is down to you, let us see what you can come up with." I still believe that we can utilise many other sites but we can also consider Parish requests. I must say I am not saying this to gather votes but I was particularly impressed by the attitude of the Constable of St. Martin, who said he would generally be community-focused and not developer-led and I think we all should be aware of that and respect that. I think there is an opportunity for housing from the surplus of office space that we have. Twenty per cent has been identified as a possible reduction and I think that is an excellent opportunity for a housing gain, a public benefit, and something I would seek to be proactive on. I understand that the department have carried out a Housing Social Survey done by Professor Christine Whitehead. It is in draft form and I have not seen a copy of it yet. I am also aware of the content of the Social Housing Property Plan and things contained within it, including selling to tenants at around a 20 per cent discount but I am sure Members are aware that the market has changed. The reality is borrowing is harder to come by and I also understand there has been some delays in conveyancing. Also contained in that report was a yield of £40 million from Le Squez, that is to say what we would realise from that. I understand this is all already occupying the mind of the Comptroller and Auditor General. I am also concerned about some of the financing of the Housing Development Funds, trusts and rent rebates and I think we need to put the cards on the table and revisit some of these issues. I am aware that the Housing Department have not had a regular Finance Officer over the last 3 years. The reason I say that is I give Members notice that there could be some bad news to be unearthed there but what I would say to Members is we must be transparent about that. I know from my work on Public Accounts that if there are issues, they will be raised. On the issue of home buying, I think it is an unfortunate

scheme and I say that because it is a nice idea but, at the moment, it is not robust enough and it is not achievable and it will not do anything for many people except perhaps raise their expectations. The timing is wrong. The financial markets are against us and the prices are wrong. I say that because residential prices have risen by 40 per cent in the last 2 years and I personally believe that is not something we should celebrate but what can we do about it? I will come to that in a moment or 2. Many years ago, I was chairman of the States Tenants Action Group. I lived in States property for many years and know many people who still live there and I know their day-to-day problems. I also know that people are still aspiring to home ownership and I believe we can do something about that but we must make it affordable. I think we need to revisit the Homebuy scheme and get down as far as 40 or 50 per cent that people can buy but we must remove the speculative element. We must not allow people to speculate and if they do, I believe we must punish them. There are many people renting from us as a landlord and also privately. I believe what people want is secure, affordable accommodation and they also want protection and clarity with rental deposits and I think there is still some work to do there. Regarding reducing qualifications from the current 12 years, I think if that is done, it should be done for compassionate reasons and not anything to do with market forces. In summary, what I would seek to do, with others, I would work towards bringing homes up to a decent standard with good levels of insulation and modern building standards with planning. I think we have a tremendous opportunity to develop lifetime homes with support in the community on site. Bring back carers in the community, caretakers. We used to do this sort of thing. It would assist people to live at home if somebody could support them, sometimes just by changing a light bulb. I think we need to forward plan for housing need based on accurate information, not knee jerk reactions. With the Statistics Unit, with information from Social Security about registrations, what are the monthly numbers doing, are they going up and down? I think we are starved of information there. We also have the 2011 census looming. We also need to look at migration controls. The policy was partly agreed by the States but it has never emerged. We need to have a population register. We need to know that to cater for people's needs. I mentioned there is still other work to be done on security of tenure and rental deposits but I do not think they are far away and the same with shared equity. I think there is positive stuff that we can do there. I also think we need to do an all-Island property survey. The Post Office have the addresses. The Connétables are aware of the details. We need to identify empty properties - the census usually does that but we have not had a census since 2001 - and bring them back into use or if they are not in use, find out why and perhaps think of penalties if properties are standing empty for a long time. I believe there is still much work to be done but it is nothing anybody can achieve on their own. There are ongoing challenges that we need to all be working towards, and I mean all of us, but I believe with the support and assistance of others, if elected, I would try my very best to deliver not just for this House but for the people of the Island.

**[Approbation]**

**The Greffier of the States (in the Chair):**

Very well. I invite questions and call the Constable of St. Lawrence.

**2.2.1 The Connétable of St. Lawrence:**

I have many questions on this but I know I may only put one to the candidate. I was interested to hear him say that speculators should be punished and I invite him to tell the House how he would go about punishing them.

**Senator A. Breckon:**

Quite seriously, what I think we should do, the French have a system apparently whereas if you sell a property, a residential property in the first 20 years, the penalty against that is very high in that you would pay 100 per cent of it as a levy in the first years and then it would taper down by say 5 per cent a year. If we are going to do that, then we do not want people speculating, but having said that, I think the market has changed to, say, 5 years ago even but the penalty I am talking about, the

financial penalties so that people are penalised if they are speculating and I also think we need to look at land values where things go from £30,000 to £3 million very quickly. I think we have missed some of the opportunities that we could have had to raise money on some of that, and to bring affordable property to the people. I think we have missed a chance on land values.

### **2.2.2 The Connétable of St. Peter:**

Would the candidate consider bringing in price controls on the landlords of private sector rental homes that attract significant levels of rent rebate through the income support system?

#### **Senator A. Breckon:**

I think the income support system will level us out over the next 3, 4, 5 years. The reason I say that is because there is a housing component that is now available to people after 5 years' residence that was not there before. As a result of that, you have the same or very similar money that has been spread across there, so I think people who were receiving rent rebates will not receive quite as much. I think that is good from the point of view that it will give stability from excesses that perhaps were there in the past when it was known there was a floor where the subsidy was there up to that. I think it will settle down with the income support system over the next 3, 4, 5 years and that will be evident because although there is some pressure on the rental market at the moment, I think it will find a level.

### **2.2.3 Deputy K.C. Lewis:**

I think my question has partially been answered already. As the Senator is no doubt aware, there is a considerable number of States of Jersey housing units that are in a very dilapidated state of repair. In fact, if they were in the United Kingdom, they probably would not reach minimum standard. If elected, how would the Senator remedy this?

#### **Senator A. Breckon:**

Again, with the Scrutiny Panel, we have the Chartered Institute of Housing who advised us on some of these issues and they did give us some advice on decent home standards, and what that involves is not just empty properties. It is considered, for example, if somebody lives in a property for 30 years, then the kitchen should be renewed, the bathroom should be renewed, and that sort of thing. Sadly, this is an area that we have not invested in over the years and we have got to the stage where we have let places fall down and I think that is wrong. We need a proper refurbishment and maintenance programme which is built in and funded, and we have had millions of pounds in rental income and unfortunately what we have done is we have paid it out in private sector rent rebates instead of refurbishing the properties.

### **2.2.4 Deputy R.G. Le Hérisier:**

Given the Chief Minister's commitment, which seems to have dissolved to inclusive government on the Council, if the candidate were to be elected, given his views, how would he deal with the idea of collective responsibility?

#### **Senator A. Breckon:**

I see the Minister for Treasury and Resources sitting in front of me and I think we have some similar thoughts on, for example, shared equity. It is how we achieve that and I think that the Minister for Planning and Environment ... I mean there are issues and the same with Social Security. At the moment, I do not think we have adequate information from Social Security, for example, on monthly registrations of people coming here registering for unemployment and where they come from. Are they people leaving education or are they people coming back to the Island or are they people from somewhere else? This information used to be available so I think it is a case of working with colleagues. If there are planning issues on standards, on design and build and refurbishment, if there are financial matters, if there is information, I think it goes across the whole concept. I think I have shown with some of the work as a Deputy ... I know with Scrutiny, I do not

necessarily have to be in charge of anything or running the thing, I am happy in some instances to be part of something and I think if it is objectives we want to achieve for the population, then we have to be working together and singing off the same hymn sheet although on all matters politically we will not agree but I think that is good and healthy.

#### **2.2.5 Deputy T.M. Pitman:**

I am afraid my question has partially been answered in your response to Deputy Lewis but 40-odd years ago, my parents bought one of only 6 properties that were sold when Le Squez was built. Their home is still immaculate, despite being pensioner age now, yet Le Squez has been allowed to fall into absolute rack and ruin. I strongly believe that this is down to real gross negligence, in fact, on previous administrations. Would the Senator promise or tell us whether he would be willing to specifically put an Assistant Minister or some sort of commitment just to focus on maintenance and make sure it is fulfilled?

#### **Senator A. Breckon:**

Existing plans for the department already include that and there is major work I would like to see that is going on at the moment, and I have spoken to some people about that. The other thing we must do is to make sure that we are getting value for money, not just that we have lots of money to do something. As I said earlier to another question, it is an area unfortunately that has been neglected because there are areas where people are spending a fortune on heating bills because they still do not have double-glazing and they have inappropriate or inadequate heating systems. People do not want raised planters and brick stone for car parking. They want basic stuff, double-glazing, heating systems and community support on occasions as well.

#### **2.2.6 Deputy S. Pitman:**

If elected, how will the Senator ensure that families currently living in States flats are accommodated in houses with gardens?

#### **Senator A. Breckon:**

I do not think it is possible to accommodate everybody in houses with gardens but what we must do with the housing stock, the supply, is to ensure that especially those with young families are adequately housed in the right places. Regarding flats or apartment living, if there is good security, if we do not have people in there who should not be there at night or whatever, causing nuisance and noise and rubbish and making a mess, then I think some of the communities that are in flats are good communities. It is not possible to have everybody living there but, of course, there is, within the rental agreement, the ability to move people around and there are a lot of older people now living comfortably in one-bedroom flats that used to occupy 4-bedroom accommodation. So it is a case really of making best use of the stock we have and keeping it in appropriate condition.

#### **2.2.7 Senator P.F.C. Ozouf:**

One of the most important duties of the Minister for Housing is to deal with (j) cats. Does he agree with the current approach of (j) cats. and how will he deal with the needs of businesses?

#### **Senator A. Breckon:**

Applications will be treated on their merits and I think that is all anybody can do. I should say I think a mistake was made previously where (j) cats were given the immediate right to buy and some of that became retrospective. What happened was there was a lot of property between £300,000 and £450,000 that went out of the market and, as a result of that, we had 40 per cent house price inflation. I think that was a mistake that was made and I think Senator Ozouf might have been involved with it, but I am not apportioning blame. Having said that - and I know that from first-hand experience - the other thing I would add to that is that I do have a handle on the market. I do not need a consultant or an expert. I know people out there in the street who will keep me advised and tell me exactly what is going on.

### **2.2.8 Deputy G.P. Southern:**

Would the candidate comment on the ease with which information and co-operation was obtained from the previous Minister for Housing and, if necessary, will he say what he will do to improve that?

#### **Senator A. Breckon:**

Can I just seek clarification? Does Deputy Southern mean in regard to Scrutiny? Okay, well, I will just share this with the House and I will then go to the Chief Executive Officer of the States because I gave the Minister for Housing 8 dates to appear before the Scrutiny Panel and he was not available on any of them. We have had some difficulty in exchanging information and then when officers of the department and the Minister and the Assistant Minister turned up at a panel hearing, they turned up by the busload.

### **2.2.9 Deputy J.A. Hilton:**

The House overwhelmingly supported the Property Plan when it was debated in July 2007. I think maybe 6 or 7 people voted against it. I cannot recall whether the Senator voted against it on that occasion but to date we have sold 103 homes to long-standing Housing Department clients who obviously welcomed very much the opportunity that was presented to them. The question I have for the Senator is does he support the continuing policy of selling 800 homes over 10 years to existing Housing clients?

#### **Senator A. Breckon:**

Policy was agreed by the House. I voted against it and we on the Scrutiny Panel at the time were not satisfied that it was robust enough. We had some concern about the selling of property to refurbish others because you can only do it once and it was seen by some as selling the family silver. Whether the target of selling 800 homes in 10 years is achievable in a changing market, the problem any future Minister would have is if it is not, you do not then have the money for the refurbishment. As I mentioned earlier, also included in that, as the Assistant Minister would know, was the sale at Le Squez, which was going to yield £40 million for the refurbishment programme. I have already requested the Comptroller and Auditor General to look at this because I do not think this is happening. So regarding the sales and the refurbishment, I think there is a lot of work to do and a serious investigation to take place.

### **2.2.10 The Deputy of Grouville:**

Would the Senator take measures to curb the property ownership of overseas investors as has been allowed to take place in recent times?

#### **Senator A. Breckon:**

Some of this has happened in different areas, especially apartments. I remember an earlier debate about the waterfront and one of the discussions about the waterfront was the residential yield there would be without the necessity to go in the countryside, and I think we failed miserably as a House on that. With some of these developments, I think it is wrong to sell them to people outside the Island as a buy to let market. We are not Manchester or wherever and I think that is wrong because it would have given, at an affordable price, local people the opportunity to get a foot on the property ladder. I think we have missed an opportunity there and it is not something I would support in the future because if we are serious about getting people on to the housing ladder, then that is one way of doing it.

### **2.2.11 Deputy P.V.F. Le Claire:**

What would the candidate do to improve the opportunities for first-time homebuyers?

#### **Senator A. Breckon:**

I think I have touched on that already, but I think it would be a case - and there are models elsewhere of what is achievable - and that starts by allowing people to buy a percentage of properties, even as low as 40 per cent, 40, 50, 60. It is part by part rent. You need to look at this as a 30 to 40-year plan but it needs to be done carefully because if we raise people's level of expectation, then we must be able to deliver it. It is no good saying, as I think, unfortunately, we have done ... we had a press release in January this year about Homebuy and I think the whole thing sent out mixed messages. In fact, I am supposed to appear before a Review Board next week to answer some of this as Scrutiny Chairman, so I think it has all gone terribly wrong.

**2.2.12 The Deputy of St. John:**

What are the candidate's views on 1(1)(k)s? Would he help or hinder the relocation of these people?

**Senator A. Breckon:**

I think there are many instances where people live and work among us from all sorts of persuasions and 1(1)(k)s and new applications is certainly not a problem.

**2.2.13 Senator F.E. Cohen:**

The candidate seems to feel there are problems with Homebuy shared equity. I understand Housing have families ready to buy and the first Island families are ready to move in in literally a few weeks. Why, therefore, does the candidate feel there is a problem?

**Senator A. Breckon:**

The problem is a 3-bedroom house costs about £508,000. In this instance, there has been a discount and what we have done is we have subsidised Homebuy with what was social renting or was planned for social rent. I am concerned that we interfere in a market that is falling and prop it up and give comfort to the developers when they have not always given us any. I think, with any scheme, whether it is this and it continues on to apartments and other things, that we must be fair to everybody. It is no good starting a scheme and say we have a dozen people to buy now if other people cannot get the opportunity and it does not flow through elsewhere. So by raising levels of expectations, I had some concerns about whether, indeed, we can continue with it and we can be fair to other people.

**2.2.14 The Connétable of Trinity:**

If the candidate is successful, will he still keep his involvement in the Consumer Council?

**Senator A. Breckon:**

There are some consumer issues related to Housing, obviously, and, in fact, things like rental deposits are useful but that is a decision of this House. It is not my decision. It is an appointment made by the States of Jersey and terminates in about 2 weeks' time.

**2.2.15 Deputy C.H. Egré of St. Peter:**

The incumbent in the Housing Department needs to work closely with the Minister for Planning and Environment. In St. Peter, we recently opened a mixed development site at Clos des Charmes which was to include first time buyer homes, social housing, sheltered flats and children's play area. While electioneering I noted that the sheltered housing was occupied by young people and that the children's play area was cordoned off because it could not be used. What are his views on these problems?

**Senator A. Breckon:**

I think the problem is we have had various terms used, sheltered housing, over 55s, lifetime homes. At the Scrutiny meeting we had, we asked the Minister for Planning and Environment for a definition of some of these things and we have not quite got there yet but I think we need to do that



and there are models out there. Rowntree are the acknowledged experts, the Joseph Rowntree Trust, and as indeed are Peabody. Guernsey are looking at people's needs rather than developers' needs and I think we have something to learn there, but it concerns me that the terminology has been broadly used to get development in place rather than look at the needs of people in the community.

**The Greffier of the States (in the Chair):**

We come back to Deputy Hilton. Do you wish to seek the clarification you asked for before?

**2.2.16 Deputy J.A. Hilton:**

The question I had asked was whether the Senator was going to continue to support the sell-off of homes as it currently stands. That was the question I wanted an answer to which I did not believe he answered.

**Senator A. Breckon:**

In reply to that, I said it was a case of, I think, at the time the finance was coming from the sale of homes to refurbish the properties so, at the moment, there is no choice unless the Minister for Treasury and Resources is going to come up with some other money and the problem was, and I did say we can only do this once, we can only sell homes for refurbishment. Then we must put a plan in place where they are regularly updated and modernised as needs are.

**2.2.17 The Deputy of Trinity:**

The candidate has mentioned the difference like retirement homes and lifelong homes and he has mentioned the Rowntree Trust. Would he support any model based on the Rowntree Trust perhaps in St. Saviour?

**Senator A. Breckon:**

Well, anywhere, indeed, but I did not support the plan you are talking about, the Carter plan, because I think it was an over-development of the area. The model of Rowntree and, indeed, Peabody, most of them have waiting lists and they are acknowledged experts and I would hope to get something there and Scrutiny obtain some information for Members to look at rather than just talk about it because these are excellent examples. St. Saviour has quite a bit of social housing. Trinity does not have any so we are getting some homes in Trinity. They are getting some for the elderly but I think we need to look across the Island.

**The Greffier of the States (in the Chair):**

Thank you, Senator. I will ask that Senator Le Main be requested to return to the Chamber for the ballot and any Members in the precinct who wish to vote.

**The Connétable of Trinity:**

I have to leave shortly but could I just clarify at what time we are reassembling?

**The Greffier of the States (in the Chair):**

Is the Assembly content to resume at 2.30 p.m. for the election of Chairman?

**Deputy J.A. Martin:**

As we have moved on and I hope the Chief Minister will agree, I just wanted to move to the House if we could make that 2.45 p.m. or even 3.00 p.m. because there is a lot of Assistant Ministers, things and chairs going on and we will not be out of here until about 25 past. So, I would just test the mood of the House.

**The Greffier of the States (in the Chair):**

Yes, I am sure that is sensible, Deputy. We cannot have 3 things on the go. 2.45 p.m.?

**Deputy J.A. Martin:**

I propose 3.00 p.m.

**The Greffier of the States (in the Chair):**

Propose 3.00 p.m.? Would those in favour of reconvening at 3.00 p.m. please show? Very well, we will reconvene at 3.00 p.m. and I ask the usher to distribute the ballot papers. I call the House to order, please. Very well, if the ballots could be collected, please. Have all ballots been cast? I will ask once again the Assistant Greffier and the Scrutiny Manager to act as scrutineers. Perhaps while that is being done I can perhaps remind the House of 2 matters. Firstly, as I am sure Members are aware from the Order Paper, when the House reconvenes the Assembly reconvenes at 3.00 p.m., the Assembly will be called to appoint the chairman of the Privileges and Procedures Committee, thereafter the chairman of the Public Accounts Committee, and after that the chairman of the 5 Scrutiny Panels in alphabetical order; namely, Corporate Services; Economic Affairs; Education and Home Affairs; Environment and Health; Social Security and Housing and, finally, the appointment of the Jersey Overseas Aid Commission. I would remind Members that the same process that we have been through with 9 appointments applies to the first 7 of those 8 appointments. Perhaps I could also just remind Members from the chair that in accordance with Article 19(7) of the States of Jersey Law, once the announcement is made of the successful candidate for Minister for Housing, the former Ministers and the former Chief Minister will officially in law leave office and be replaced by those who have been appointed. I will remind the Assembly to date the appointments have been made of: Chief Minister designate, Senator Le Sueur; Treasury and Resources, Senator Ozouf; Economic Development, Senator Maclean; Planning and Environment, Senator Cohen; Health and Social Services, Senator Perchard; Home Affairs, Senator Le Marquand; Social Security, Deputy Gorst; Transport and Technical Services, the Connétable of St. Brelade; Education, Sport and Culture, the Deputy of St. Ouen; and we await the last place.

**Deputy J.A.N. Le Fondré:**

I know we have just moved the House already and we are coming back at 3.00 p.m. which will leave us about 2½ hours to carry on business today. Might I suggest, and it is obviously for later on this afternoon, but just to put in mind to Members that we consider, perhaps, drawing a line, if we get there, after the end of P.A.C. because, as I understand, they are both going to be contested elections and they are both going to take a fair amount of time to sort out before going on to the Scrutiny chairmen which we would then come back on Monday to consider.

**The Greffier of the States (in the Chair):**

I think, as you say, Deputy, one needs to see how the proceedings go this afternoon. Clearly, if several positions are contested it will take some time. Very well, I can now announce the results of the election for Minister for Housing: 27 votes were cast for Senator Le Main; 25 votes for Senator Breckon. Accordingly, I declare that Senator Le Main has been elected.

**LUNCHEON ADJOURNMENT PROPOSED**

**The Greffier of the States (in the Chair):**

The Assembly will adjourn until 3.00 p.m.

**LUNCHEON ADJOURNMENT**

**Deputy G.P. Southern:**

If I may, before we commence proceedings for the afternoon, just offer my apologies to the chair and to the House because I think my behaviour on hearing the news of the latest election was somewhat unparliamentarily and I do apologise.

**The Bailiff:**

Thank you, Deputy. [Approbation]

### **3. Chairman of the Privileges and Procedures Committee:**

#### **The Bailiff:**

Now we come to the election of the Chairman of the Privileges and Procedures Committee and I invite nominations.

#### **The Deputy of Trinity:**

I have great pleasure in proposing the Connétable of St. Mary as chair of P.P.C.

#### **The Bailiff:**

Thank you, Deputy. Is that nomination seconded? [**Seconded**] Are there any further nominations for the chairmanship of the Privileges and Procedures Committee?

#### **Deputy A. Breckon:**

I would propose Senator Syvret.

#### **The Bailiff:**

Is the nomination of Senator Syvret seconded? [**Seconded**] Are there any further nominations for the chairmanship of the P.P.C.? Very well, we will follow the usual procedure and I will invite Senator Syvret to withdraw to the distant room, escorted by a member of the Greffe and I call upon the Connétable of St. Mary to address the Assembly.

### **3.1 The Connétable of St. Mary:**

There are in life some people who know from a very early age exactly what they want to do when they grow up. They may dream of becoming astronauts or firemen but I am almost certain that almost nobody dreams of being the chairman of the Privileges and Procedures Committee. Certainly, neither did I. However, it is true to say when I joined the States Assembly 3 years ago, my experience in administration and particularly my past involvement with the Parish electoral system made me decide to seek a position on that committee and, more latterly, I was the vice-chairman. Today, I am seeking to become the chairman and the reason is really quite straight forward. To put it plainly, there is important unfinished business to attend to and I believe that I am in a strong position to deal with it. Although it will be necessary to touch on some of the previous committee's work, my speech today is not about the past but rather about my suitability to chair the new P.P.C. taking it forward. I hope to inform the Assembly as to what work I would envisage undertaking initially, bearing in mind that the P.P.C. is also given directions by the Assembly as to what its work programme will include, obviously, by the outcome of debate. P.P.C. membership is drawn from both the Executive and the Non-executive; a rare link between the 2, and as so much of the basic function and accountability of the Assembly itself is dealt with by the P.P.C. that is only proper. In a similar way, I should hope that the new committee could include both re-elected and new members, all the better to ensure the combination of breadth of experience and innovative thinking. At the outset, however, I would like to advise Members that I fundamentally believe that it is the duty of the chairman of P.P.C. to make sure that any reforms, amendments or advancements put forward by the committee must not only address the issues and concerns of Members and/or the public but they must also be workable and must in no way jeopardise the effective operation of the legislature or compromise the integrity of the electoral processes in this Island. The terms of reference for the P.P.C. are clearly set out in Standing Order 128 and the unfinished business to which I referred a moment ago can be examined against some of these. Firstly, I would like to deal with the highly important matter of the Freedom of Information law which comes under subparagraph (h). This is a subject that occupied the previous committee throughout its term. This was a very serious issue and not only because of, certainly not most importantly, because of the potential resource implications but also because there are several different models of Freedom of Information law in operation around the globe. The committee believed it was essential that time and effort was expended to find the model that best meet the needs of the Island and which would ensure that it was the Islanders who, after all, will ultimately

foot the bill, who got the benefit of the law. Unfortunately, some time was lost due to a change in committee membership but, nevertheless, the committee undertook several rounds of consultation and worked with the law draftsman to investigate multiple models. It is likely that a draft law could be ready to be lodged for Members' consideration in the very near future. This consideration might well include a Scrutiny review into resource implications should the new Corporate Services Panel choose to take forward the thoughts of the previous panel. In order for more time not to be lost on this important project, I would welcome the chance to take it forward to the Assembly. In a very few short lines, subparagraphs (a) and (b) of Standing Order 128 give scope for enough work to keep the committee busy for the entire next 3 years in as much as they deal with the composition, the practices and the procedures of the States as Jersey's legislature and the rules for enfranchisement and the conduct of elections. I found the previous committee's attempts to bring about measured, reasoned and workable reform to the composition of the States an extremely frustrating experience, in part because it was never possible to have a clear run at it as issues were periodically picked off with other propositions which, effectively, prevented them from being included in P.P.C.'s own proposals. It is worth noting that a far-reaching reform proposal in the shape of P.75 of 2007 did receive almost unprecedented support falling by only 5 votes. Although this, effectively, meant that the States at that time voted to maintain the status quo, there are certainly lessons to be learned from the recent elections. The Island came closer to having a general election than ever before with all but 9 Members being sworn in at the same time. Once again, it was possible for candidates who were unsuccessful in the Senator's election to legitimately stand in the Deputies' elections a few weeks later. As previously, this drew adverse anecdotal comment from the public and media but, more fundamentally, at a time when election expenses were finally tightly controlled, theoretically at least, this would have enabled candidates with deeper pockets to get greater publicity and public awareness by standing in both elections. This matter, at the very least, must be addressed in short order. It is also worth noting that turnout for the Deputies' elections were significantly lower than for the earlier senatorials. However, turnout was highest in those Parishes where there was also an election for Connétable. No significant problems arose in October with multiple elections and all of this would seem to point, again, towards a general election. The difficult question will, of course, be whether it is possible to maintain an Island-wide mandate as a viable option without the incentive of a longer term for the Senators. I was on the subcommittee that undertook the long and detailed Machinery of Government Review. This produced a number of recommendations; many have been translated into amendments and adopted but, really, I believe that it was carried out too early and some Members here, and Deputy Le Hérisier comes to mind, consider that the terms of reference were not broad enough. I believe he said at the time that it was like doing an MOT on half a car. This, too, represents unfinished business, not only because there is still recommendations to take forward but also possibly because there is scope for a phase 2 review with more incisive terms of reference. In fact, a proposal for a further review has been lodged only this week. I do not believe that any area should necessarily be exempt from review but I do believe that any review must be meaningful, timely, well structured, adequately resourced and with carefully defined terms of reference. In short, it must be carried out soberly and not wantonly. The next major area of unfinished business deals with subparagraph (f), and that is concerning the enforcement of the Code of Conduct for Members. The code was put in place in an attempt to promote high standards among Members of the States and to champion and defend the privileges of Members of the States. But it has become increasingly apparent that it is really a toothless tiger in that currently there are not effective penalties which can be levied against Members who breach the code. If there is to be a code, then surely it must apply equally to all Members and it must be meaningful. **[Approbation]** That is, there must be a real incentive to adhere to it. For more serious or persistent breaches, I would like to look at a system of tiered suspensions of variable duration to match the circumstances and severity of the breach. This would be a delicate process, however, as the ability of an elected Member to act on behalf of his or her constituents within the terms of the Code of Conduct must also be protected. Although with regard to subparagraph (f), also there is a

requirement for the P.P.C. to champion and defend the privileges of the Members of the States. During my work on the Machinery of Government Review, I observed from talking to some Members that various subtle changes in the status of Non-executive Members had become apparent immediately after the onset of Ministerial government and I believe that not all of the implications of this have been fully addressed and I would like the opportunity to explore these issues and to report back to the Assembly as necessary. Subparagraph (g) deals with informing the public about the works of the States, of the Council of Ministers, the Scrutiny Panels and the Public Accounts Committee. Many Members will know that this is a subject close to my heart and I was heavily involved with taking Scrutiny into the schools with the citizenship programme. This showed how working in partnership with other organisations can have a really positive effect and how engagement with the public can be a very rewarding experience for all concerned. I would hope to be able to extend this sort of initiative to deal with other aspects of States work and to reach other sections of the community. To turn now to why I believe I am suited to chairing P.P.C. I believe I have gained a broad understanding of all areas of the remit of P.P.C. during my 3 years on the committee. I welcome positive contributions from colleagues and have shown myself able to work constructively with Members whose viewpoints are not always similar to my own. I have demonstrated an ability to disregard my own political situation in promoting workable, achievable propositions designed to produce results not necessarily in keeping with my own personal wishes. I have proven my ability to take the lead. I chaired the working party which looked into the reform of the Public Elections (Jersey) Law undertaking wide consultation, reporting back to the committee. A clear brief was defined which enabled the law draftsman to prepare significant legislation on a timely basis and, ultimately, I acted as rapporteur. My style of leadership would be to be thorough, to take advantage of the skills and experience of interested parties and to consult widely on the workability of proposals before bringing them to the Assembly for debate. As with so many seemingly impossible and unrewarding tasks, I would deal with the issues facing P.P.C. methodically, one step at a time moving forward towards a workable, acceptable and desirable solution. I think I have now said enough and I will answer Members' questions to the best of my ability.

### **3.1.1 Deputy P.V.F. Le Claire:**

The candidate mentioned in her speech that a series of suspensions might be a way of strengthening the Code of Conduct giving penalties to Members who do not adhere to this code. Does the candidate not consider that many of the Island's elected representatives would be, effectively, disenfranchised by such an act and would not a system of fines, on a varying scale, be more appropriate?

### **The Connétable of St. Mary:**

Fines are something that could also be looked at in parallel but I would also like to say about suspension; there is already provision in Standing Orders to suspend Members who breach the Code of Conduct. But at the moment, that suspension is linked to the timings of sittings and it can mean, for example, there could be a very short suspension or if it was the end sitting of a term of the States, it would be a very long suspension and for that reason I think we need to more precisely define to tie in the suspension to the actual severity of the offence, and suspension would not be an initial reaction to anything but a very, very severe breach of the code. There are other measures to be considered first.

### **3.1.2 The Connétable of St. Peter:**

Does the candidate agree the suspensions imposed on Members due to their conduct is not a matter of concern to the P.P.C. and the other Members of this House but a matter of concern with a breach by the Member of the procedures?

### **The Connétable of St. Mary:**

I am not quite sure I understood the thrust of the question. The suspension would be tailored to the nature of the breach and the severity of the breach. The suspension, as well as removing a Member from this House, is a clear message to his electorate that he or she is not able to represent them on a timely basis due to the inappropriateness of his conduct. So it sends out all sorts of messages. If I have not answered the question I will be pleased to have it clarified.

### **3.1.3 The Connétable of St. Helier:**

In the course of the past 3 years, States Members' facilities have been used at times for political party meetings, they have been used for all manner of purposes and, finally, the photocopier was locked. We compare that with the Isle of Man arrangements which are far more generous to Members. What will the Member do, if elected, to enhance States Members' facilities particularly in terms of research libraries, newspapers, and access to photocopiers.

### **The Connétable of St. Mary:**

States Members facilities are, obviously, physically constrained by the building we are in, in as much as I am not sure if there is any other area we could use for computer work, *et cetera*, although it is only on States days that all the facilities are used concurrently. As regards the library, there are library facilities available in Morier House, not for lending, I think, but certainly for consulting, so perhaps we could look at whether it is possible to have greater access to those or whether they should be duplicated in the States building. The Member is right when he says that there have been issues in the past with misuse of the facilities and that is something the committee had tried in the past to deal with sympathetically, and I would hope again that could be done. The Code of Conduct is something which I always feel is a last resort and I would hope that all Members would behave in a suitable manner and use the facilities wisely without resort to the code.

### **3.1.4 Deputy M. Tadier:**

I think that the Connétable may have been mistaken when she talked of unfinished business. I prefer to think of it as unstarted business, certainly where reform is concerned. [Approbation] Can she give assurances, and I believe you have partly already, that she will take reform seriously even if that reform is counter to her current role as Connétable.

### **The Connétable of St. Mary:**

On the contrary, I think the Deputy is misinformed. There has been a considerable amount of work undertaken by the previous committee and that work reached various conclusions. Propositions were put to this House and it was this House that did not accept or adopt reform. The work the committee had done is there. It is ready to be called on. Consultations, opinion polls, reports, they are all good building blocks but this House did not show the will to adopt the reforms that were possible. However, as I stated in my speech, there were certain elements that could not be considered on a timely basis by the previous committee because they have formed part of Private Members' Bills and the rules of debate mean they cannot be debated twice within a certain time period.

### **3.1.5 Senator A. Breckon:**

Can I ask the Connétable first of all a reminder that this House has approved going from a Code of Practice to a law for freedom of information and ask her where she stands on it and what the previous P.P.C. did?

### **The Connétable of St. Mary:**

I thought I had made that quite clear. When I joined the committee there was always the direction to move to a law. That was looked at, initially in the terms of work that had been done before the last committee was constituted. But as I have said, there are several different models and they have various different implications. It can be as much as deciding who determines what information is exempt, whether that is a civil servant or whether that is somebody else, but you need to include

mechanisms for appeal. You need to make sure that members of the public who feel aggrieved by any decision the law makes will have a method of appeal that they can afford and take forward. There are all sorts of different things that need to be considered. The committee looked at the work that had already been done and decided that there were possibly better models that could be looked at and, certainly, it would be errant of them not to examine those models. That involved further consultation because they had not been included in the initial rounds. There is certainly no question that the previous committee decided to abandon freedom of information but what the committee decided to do was to make sure that the Freedom of Information law, when it was eventually brought to the House, was the best fit for the Island of Jersey.

### **3.1.6 Deputy G.P. Southern:**

Could the candidate outline what her first move will be in terms of electoral reform and how she envisages, in a perfect world, under what terms the next election will be held?

### **The Connétable of St. Mary:**

That is very interesting but, of course, I could tell you what my feelings are but it would be a matter for committee discussion and the House, ultimately. Clearly, from what happened in the last round of elections, the Island, I believe, expects a general election and I think that must be something we must aim towards at the very least. I mentioned the problems and perceptions that the public had because of the 2 stages of election. Now we have electoral expenses tightly defined, it must be a level playing field for all candidates at an election, not just in any particular election. That is priority number one, I think, and achievable. The term of office could be looked at again, I think. We almost came to a 4-year term for most Members last term and I think that would be beneficial to have a 4-year term simply because we all know the amount of effort and at the moment the Assembly sort of grinds to a halt approaching an election. It is not of economic benefit, really, even to have a 3-year term. But there are problems. We need to converge. If we are going to have a general election, all Members need to converge at the same point even if we decided to have 6 Senators out of sync by one election. If we decided to continue that we would not even achieve that unless we changed the term of the Senators and I think there are few people who would argue that 8 years would be too long for a Senator and, therefore, there is not an immediate tie in. It is not something we cannot overcome but it is up for consultation, I think, with members of the P.P.C. initially.

### **3.1.7 The Deputy of St. Martin:**

It is very closely allied to what the last question was. At present there are huge number of Island residents who pay their taxes but are unable to vote because they have not resided in the Island for 2 years. Now their income tax is payable as soon as people arrive on the Island, will the Connétable be minded to reduce the voting qualifying time and if not, why?

### **The Connétable of St. Mary:**

We debated this really quite recently and my arguments have not changed, although I would not be adverse to a reduction in time but it cannot be reduced to almost nothing simply because we do not have in the Island a qualification by citizenship to vote and almost every other jurisdiction requires citizenship. People who come to this Island need to have a stake in the Island which goes beyond just one or 2 years' investment. The decision taken at an election will last at the moment for 3 or 6 years, possibly longer if there is reform. There is a commitment to the Island that must be demonstrated and I certainly do not believe that a 2 year qualification is outrageous. Perhaps it could be reduced but certainly, I do not think, it should be brought to nothing.

### **The Bailiff:**

I wonder if I might draw the attention of members to Standing Order 99(3)(c) relating to the reading of newspapers. [Laughter]

### **3.1.8 Deputy R.G. Le Hérissier:**

Back to reform. Notwithstanding the very hard working efforts of the last P.P.C., the public clearly have an appetite for reform and it has proved almost impossible despite, as I said, the excellent efforts to overcome vested interest. Can the candidate in detail tell us how she will work through the obstacles that present themselves in this Assembly?

### **The Connétable of St. Mary:**

I can explain how my feelings towards reform are. As to how I would work through them in the Assembly, I would simply say, 52 small steps at a time. That is how it has to be done. We have to look at what the people want. We have to see if it is achievable in the form that they want. If it is not achievable in that form, I believe it is our duty to find the best fit that gives them most of what they want and I believe we came very close to it in P.75 of 2007. However, it was not to the liking of the House and I think that would be a good place to start and to see the comments that were made during that debate and to see what changes would need to be made and whether that could be revisited.

### **3.1.9 Deputy T. Pitman:**

I would point out I ask my question with no intended disrespect to the Connétable. We have just seen talk of an inclusive Executive has been nothing more than spin and hot air. So could the Connétable give any assurances to us that she will be strong enough to ensure that P.P.C. does not become a rubber stamp to the wishes of the Executive with all this talk of suspensions. I would hate to see it just muzzle any progressives.

### **The Connétable of St. Mary:**

Yes, I would say that the Deputy does not yet know me very well. I have been described recently as feisty by the people who are now sitting next to me and they had not realised from across the Chamber previously just how feisty I could be. You must bear in mind that the makeup of the P.P.C. means that there are only 2 Executive representatives on the panel of 7. That is one thing. Secondly, I can assure the good Deputy that I have not been asked to stand for the chairmanship of the P.P.C. I was not canvassed to stand for it and I have not sought any approval to stand for it. I have made it clear over the last 6 or 8 months, I think, to anybody who would listen, to the point of being boring, that I believe that I wanted to lead and chair the P.P.C. I am not on the Executive and never have been and, as I say, the balance of the committee does not lean that way. The duty of P.P.C. is to look after the interests of all Members. All Members. And that is entirely what it will do under my direction.

### **3.1.10 The Deputy of St. John:**

Considerable work still needs to be done on moving reform forward and you will be aware of my report and proposition on reviewing the first 3 years of Government. Will the candidate be accepting the challenge if I give her my support?

### **The Connétable of St. Mary:**

I might be moved to accept the challenge whether or not the Deputy gives me his support. The fact is, of course, the proposition calls for another review. My only reservations are that we did the first Machinery of Government Review too early in my opinion, as I have made clear. I want to make sure that we do not do phase 2 too early. That is my sole reservation because there were lessons to be learned after the first initial elections, *et cetera*, and I think there will be lessons to be learned after these and I think there will be lessons to be learned as the new Council of Ministers and Scrutiny relationship beds in and I would prefer, if I can be honest, to defer that for at least one year into the 3 year term but, of course, that will be a decision of the House.

### **3.1.11 The Connétable of St. Lawrence:**



Does the candidate believe that the number of meetings which have been undertaken during the life of the past committee under the B agenda were acceptable and, if elected, would she endeavour to reduce the number that are held under Bs?

**The Connétable of St. Mary:**

There are, of course, some very delicate matters which come before the Privileges and Procedures Committee not least of all with States Members' conduct but also when there are complaints heard from members of the public who have taken offence or been slighted, in their view, by a Member. I think it is very important that, for want of a phrase, we do not add insult to injury by drawing that to the attention of the media in any way. So there are some things which I believe are rightly on a B agenda. There are other items, for example, discussions concerning developing propositions, *et cetera*, which are on the B agenda but which are then released to the A, and I can undertake that a regular review of all B agenda items will be undertaken so that they can be put on to the A agenda and brought into the public domain as soon as it is possible under the guidelines.

**3.1.12 Deputy S. Pitman:**

Given the public outcry when the Bailiff turned a Liberation Day speech into a political one, if elected will the Connétable and her P.P.C. team push for changes to ensure that all Crown officers are brought to account for making such irresponsible and inappropriate speeches by this Government?

**The Connétable of St. Mary:**

The Deputy expresses her opinion about the content of speeches and she is perfectly democratically entitled to that opinion and I respect her for it. I have made clear in my speech that I do not believe there are any areas that should necessarily be exempt from review but I have to say there are some fundamentally pressing situations that will demand the attention of the Privileges and Procedures Committee and that, certainly, would not be one of my initial concerns.

**3.1.13 Senator P.F.C. Ozouf:**

Parkinson's Law is that work expands to the time available. Most Assemblies have, in some circumstances, time-limited speeches. Does the candidate have any views on such matters for this Assembly?

**The Connétable of St. Mary:**

With my tongue firmly in my cheek I could say I have never, say, in this position before so I am not sure about that. Basically, democracy demands that Members have a right to be heard. This is a parliament. We must never forget that. We have a duty to debate and to speak and I would hope that Members would become self regulating. I certainly think that there are already sufficient guidelines about not being repetitious, for example, and I think perhaps we could all look to ourselves when we speak to bear that in mind and, perhaps, occasionally from the chair a few severe words might bring us back on to track.

**3.1.14 Deputy D.J. De Sousa:**

Would the Connétable support and bring forward proposals for electoral registration to be linked to a central population register?

**The Connétable of St. Mary:**

Not at this stage. The electoral system has been in place now for under 3 years working as it does currently and at the moment the Parishes deal with electoral registration and I think that is where it should lie because the Parishes at the moment still remain the polling station or the hub of the district. There are also all sorts of implications regarding data protection, *et cetera*, which need to be ironed out. But I am always very conscious, though never to say never; that things need to be looked at, and as I have said, everything deserves review.

### **3.1.15 Deputy J.A. Martin:**

M.O.R.I. (Market and Opinion Research International) Poll offered an Island-wide general election as its first option for 13 Senators which, of course, would probably produce hustings of 100 candidates. This may have been okay for some. Can the candidate explain how this option came to be offered at first option to Jersey voters in the poll?

### **The Connétable of St. Mary:**

There was a wide selection ... I do not think the options were given in order of priority. They were just outlined but the main problem which the Deputy has mentioned there concerns the hustings. The hustings are an almost ... well, they are a traditional element of the election. They are not anything we lay down by law and, I think, even with the 21 candidates we had recently the general public was not at all satisfied by the way the hustings were undertaken. Not that that was a fault of anybody but, simply, because insufficient time was able to be given to all the candidates to get a meaningful speech across. I think we have explored, tentatively, other areas of providing information; through the website, through the *Evening Post* supplement, *et cetera*, but it would need to be revisited again. How can we allow and enable candidates to get the message that they want to across?

### **The Bailiff:**

Thank you, Connétable. I ask the Connétable to retire from the Chamber and go to the distant room.

### **3.2 Senator S. Syvret:**

The Privileges and Procedures Committee will appear to many members of the public to be a rather obscure organisation; part of the States and of public administration that few people think of and few people really grasp what it does. But, in fact, the role of the Privilege and Procedures Committee is fundamental to the effective functioning of democracy in Jersey and of any modifications and improvement and evolutions we may wish to introduce. The Privileges and Procedures Committee can be sometimes a rather inward looking body. I know, because I have served on it and, indeed, its predecessor, the House Committee, as it used to be called back in the days of committee government. But I want to change that because the Privileges and Procedures Committee exists, essentially, to ensure that this legislature, how it is formed, its procedures, the democracy that belongs to the people of this Island is functioning effectively. So I think the Privileges and Procedures Committee, the new committee, must look outwards more effectively and engage more closely with the ordinary people of the Island not only to share knowledge with the community about the aspects of what their government does, how it does it, how it is structured, but also to listen to the public about what they want for their democracy into the future. The Privileges and Procedures Committee has a number of fundamental responsibilities such as, for example, issues pertaining to electoral reform; whether there should be fewer Members in the States, the same number of Members, Island-wide mandates or not, Connétables in the States or not. These are all very central and fundamental issues to the whole community and for that reason I think the Privileges and Procedures Committee requires an Island-wide mandate to be led effectively and on behalf of the entire community so that there is that kind of democratic mandate to ensure that any such proposals can be taken forward with a degree of public accountability. It may surprise some existing Members, and I think some of the newer Members, but at the time of the Clothier Report, I opposed significant parts of the Clothier Report and I make no apologies for having done so. But does that mean I oppose electoral reform? No, it does not. I want there to be electoral reform on an evolutionary not a revolutionary basis and I certainly do not want electoral reform, if it even merits the phrase, to take the shape of simply extrapolating examples from the United Kingdom and applying them to Jersey. As I said back in the time of all of those debates, I did not join this Assembly, I did not seek election, to simply trample the Island's culture and its traditions into the ground. In fact, the opposite. I wanted to protect and preserve a lot about this.

There is much about the way we do things that is good. Indeed, when you look at the democratic processes and structures of the United Kingdom and compare and contrast them with many other western European democracies, we see plainly just how backward the United Kingdom is democratically and just how much of a democratic deficit exists there. How can we, really, look to a country for examples on democracy that has such an archaic voting system that a party can have 37 per cent of the popular vote and 100 per cent of the power? No, we must have evolutionary electoral change but it has to be the right kind of change. It has to, first of all, primarily serve the interests of this community, the people we represent, and it has to be the right kind of change that matches the Island's culture, its heritage and its needs. I fought for those issues at the time which is why, with former Senator John Le Maistre, I opposed the removal of the Island-wide mandate and I opposed the exclusion of the Connetables from the Assembly. We need to generate grass-roots re-engagement with the democratic processes of the island. It is difficult to imagine a democratic environment where matters of such controversy as the introduction of sales taxes and things of that nature could take place and still attract such a dismally low turnout on the part of the voting public. It is quite remarkable. There can be few jurisdictions where you would have an incumbent government, as it were, that would introduce deeply unpopular, deeply regressive taxation measures and the public simply not be inclined or motivated to engage with the democratic processes. That simply is not good and it is not credible for us. We have to find ways of improving it. We have to look much more closely at an effective and accurate electoral role. There have got to be better ways of making sure that everyone who can vote is on the electoral roll and is able to vote at the appropriate time and the appropriate place. What we do at the moment, I am afraid, simply does not work. I am sure many of us could recount examples of people turning up to vote and not being on the electoral roll and people appearing on the electoral roll who, in fact, were deceased some years earlier. I am sorry, but this just has to be changed. I am determined to bring forward a range of new policies. Well, not new policies necessarily, policies that are old policies which have languished on the shelf of the old House Committee and of the Privileges and Procedures Committee, for example, the freedom of information legislation. It must have been, I think, certainly over 10 years ago now that I first brought forward the in principle propositions for freedom of information law to this Assembly. No, Senator Le Main did not.

**The Bailiff:**

Senator, you must let the candidate have his say, please.

**Senator S. Syvret:**

Senator Le Main says he did not. I will dig out the minutes of the States afterwards and show them the original in principle reports and propositions that I have brought to this Assembly. It is good to see that in the interests of inclusivity we are including people who have got serious problems with their memory as Ministers [**Approbation**], but enough of such irrelevant diversions. There are clearly a range of policy issues, legislative issues, which must be brought forward for the interests of this community and one of those has to be fundamentally freedom of information. We all know, we have all heard often enough, the complaints that the States is too inefficient, too expensive, too bloated, too unaccountable. One of the prime methods we have of combating that is an effective freedom of information law so that there is proper transparency so that there is not any hiding place for inefficiencies and inadequacies in the system. I have a great deal of experience as a States Member, 18 years now, and I am very experienced in both the old committee system of government and the new Ministerial system of government. I understand the old system, what was wrong with it and what, perhaps, were some good aspects of it and likewise I have a similar understanding of the new system. If I am successful in this post and am able to assemble a committee, I can pledge the public and Members of this Assembly that movement will happen on a range of these issues. We can no longer prevaricate and let a number of these fundamental decisions languish as they have done. If we want to be regarded as an effective and responsive legislature in the year 2008, the time finally has come to grasp some meaningful change. One other point that I will address, if I

am successful in this election, is the issue of States Members' conditions. This is one of these policy areas which is profoundly unpopular. No one ever grasps it, no one has ever seriously taken it forward and we have, therefore, the spectacular of Members losing their seats or retiring and being out in the cold with nothing, not even so much as a month or 2's salary to tide them over until they can find a new job. Things of that nature are completely unacceptable in the 21st century. **[Approbation]** The days when this legislature was a millionaire's playground are over. We are dealing with real people now, with real lives and no matter that it be unpopular such issues, the broad issues, of Members' conditions do have to be addressed. Thank you.

**The Bailiff:**

The period of questioning will now begin.

**3.2.1 Deputy G.P. Southern:**

I did not realise I was first. Given his statements on electoral reform what does he see at this stage as his first move and under what terms does he envisage the next election taking place, in an ideal world?

**Senator S. Syvret:**

In an ideal world, I would probably like to see representative party politics being the basis on which future elections were fought but that, of course, is not an occurrence that can be dedicated by any committee or indeed this Assembly itself. That is ultimately in the hands of the public. In terms of what I would wish to see by way of reform, as I said, we need finally to put together an effective and competent electoral roll. Look, we know how hard it is to avoid your details being well known indeed to the Income Tax Department and the Social Security Department. Rather fascinatingly, we do not somehow get forgotten and left off those kind of lists, yet when it comes to voting somehow it is all profoundly difficult and impossible to get people on the electoral roll. I am sorry but it has got to change.

**3.2.2 Deputy S. Pitman:**

Does the Senator feel that the public should have at least some say in the election of their Chief Minister and if so, how would he attempt to do this as PPC Chairman?

**Senator S. Syvret:**

The answer to the question is yes. The public should have a greater degree of involvement in that process than they do at present. What the solution is I am not sure at the moment, to be honest. It has been suggested that the Chief Minister should be directly elected. That is a possibility, but I do think we need to recognise that there might be some significant constitutional issues to overcome were that to be the case because you would then, effectively, be moving to a presidential system of government and it would indeed require a great deal of very careful thought and to think about the mechanisms as to how it would work if, for example, a Chief Minister were to be elected by the public that did not enjoy the support from the majority of this Assembly. A lot of complexities could arise. Ultimately, I do not personally think there is any escaping from the fact that if ultimately the public want to determine who the Chief Minister will be and indeed, more relevantly, the kind of policies and legislation they will be governed by, the only way ultimately you are going to deliver that, in a practical sense, is by party politics.

**3.2.3 The Connétable of St. Helier:**

Could the candidate give us his opinion of States Members facilities as they exist at present and how would he improve them?

**Senator S. Syvret:**

States Members facilities as they are at present are poor to say the very least, however, I hesitate to condemn them utterly because having experienced what they were like over the years in the past, I

can assure Members, some of the newer Members of this Assembly, that is light years forward compared to how they used to be. I remember in the old days, in the early 1990s, not being able to get anything photocopied over the lunch break for the afternoon session because the staff had been instructed that they could not photocopy anything for a Member unless they got permission of the Greffier first. That is how ridiculous things were. Even a few years ago, there was not even a fax machine available for States Members. This is simply detrimental to the public. We need good facilities to enable us to properly discharge our duties to this community.

#### **3.2.4 Senator P.F.C. Ozouf:**

I hesitate to ask this question, but some Members of this Assembly could not reconcile the behaviour of Senator Syvret in respect of the Code of Conduct. Indeed, some Members may believe that the previous P.P.C. has been rather toothless in dealing with his behaviour and treatment of colleagues and others. How can he reconcile him standing for the position of P.P.C. Chairman and how does he respond to these concerns?

#### **Senator S. Syvret:**

Very easily. My view on these kind of issues remains exactly as it has always been and indeed I made these very points in numerous debates during the evolution of the machinery of government which is that essentially politics is a tough old game. It can be quite rough from time to time, but frankly if you are going to get upset and start making complaints every time someone is a bit angry or cross with you then frankly you are in the wrong job, and we have to ask ourselves what is more important, the delicate, delicate feelings of Members such as Senator Ozouf or the actual freedom of speech that we enjoy to exercise on behalf of the people who have elected us. I have always said that one of the grave dangers of disciplinary procedures for States Members is that they would become nothing more than a politic tool, a partisan politic tool, used by a majority to intimidate and oppress the minority and so sadly it has come to pass, the performance of the current Privileges and Procedures Committee has been utterly dismal in this manner. Yes, there must be accountability and ultimately some kind of disciplinary procedures for States Members, but those have to be mechanisms of last resort.

#### **3.2.5 The Deputy of St. John:**

Considerable work still needs to be done on moving reform forward. The candidate will be aware of my report and proposition on the first 3 years of government. Will you be accepting the challenge and if so, will you be giving me your support?

#### **Senator S. Syvret:**

If I understood the question correctly, this is my view on the proposal to have a review of the first 3 years of Ministerial government. Absolutely, of course, who could possibly object to there being a review of how the new system has worked. Certainly my instinct is that I could not conceive of going back to the old committee system of government, but I think we would be extremely foolish indeed to imagine that we have got everything right and had the perfect system in place in these early years. Clearly, it would be quite foolish not to review the performance of our systems of government during the first 3 years of Ministerial government and to see what, if any, lessons need to be learned and what changes need to be made. A review, yes certainly.

#### **3.2.6 Deputy D.J. De Sousa:**

Part of my question was answered before, but what would the Senator do, would he consider bringing forward proposals for an electoral registration linked possibly to a population register?

#### **Senator S. Syvret:**

Indeed, as I have already mentioned, the existing electoral register systems are clearly manifestly deficient. What we do to address that I am not entirely sure at the moment. I do not stand here and claim to have the answers to every question. Certainly my first instincts would be to sit down with

the Constables and to review the situation with them because they have this responsibility for the electoral rolls in their Parishes and to look at the issues and the complexities and to see what perhaps consensual way forward we could find to improve the situation. My view is that there ought to be a good deal more data sharing, where appropriate and legitimate, among different States departments. So, for example, we do not have to deal constantly with different departments such as Income Tax, Social Security, Electoral Rolls and so on. I think there is tremendous scope not just electorally, but for great improvements in public administration in general if we vastly improve our information sharing abilities.

### **3.2.7 Senator A. Breckon:**

Senator Syvret has made reference to the former P.P.C. and a view has been expressed that the previous P.P.C. have some important unfinished business. Would Senator Syvret like to comment on that?

### **Senator S. Syvret:**

That is rather a cryptic question. Perhaps the Senator could say exactly what business he is speaking about. I mean, as far I am concerned, when I look at the work of the previous Privileges and Procedures Committee the thing that leaps out at me, well there are 2 things, the failure to have an effective modernisation of the electoral roll as we have already covered and, in particular, the utter failure of the committee to take forward freedom of information legislation. Those are the 2 most significant pieces of unfinished business and we really must move forward with them.

### **3.2.8 Deputy M. Tadier:**

For all its hard work the previous committee failed to effect any meaningful changes to reform. Its greatest achievement was to get some of the Connétables to be able to stand on the same day as the Senators and I am not knocking that, but it is not a great deal. Why does the Senator think he can do a better job?

### **Senator S. Syvret:**

I hope I can do a better job because I do have a great deal of experience. I have been a States Member for 18 years, have been on the opposition benches so to speak and I have been in the Executive side of things and I have experienced this both in the old committee system of government and in the new Ministerial system of government. I think I understand the issues pretty well. I also took a particularly close view of the new States of Jersey law when all those debates were happening. I put a very, very substantial number of amendments to it which essentially were geared towards retaining the sovereignty of this Assembly and not handing it over to a largely unaccountable executive as we see in the U.K. I have made a significant number of amendments to Standing Orders in the past so I have got a lot of knowledge and a lot of experience and I am willing to sit down with Members of this Assembly and take on all shades of opinion and really try and get these things taken forward.

### **3.2.9 Senator B.E. Shenton:**

A couple of years ago I brought a proposition that argued for general elections and 4 year terms. It also argued that the Constables should remain in the States. Can the Senator give his view on the Constables' position please?

### **Senator S. Syvret:**

My view on the Constables' position is largely as it was. If the Constables are to remain as Members of this Assembly in the future, they have to accept that there needs to be evolution of their positions and, in fairness to them, they have taken on board a significant amount of change. There were some Constables that did not seek re-election in this recent election, but all of that will equalise and will occur in 3 years' time because any resulting by-election between now and then will be only for the remainder of that term of office. So, in fairness to the Constables, they are

moving forward, but I do think there has to be some other changes too. Again, as I have made clear in the past, I do not think it is appropriate for Members of this legislature to retain policing powers, direct and official policing responsibility. It is a conflict of interests and I also think that once we have made those kind of changes, the time will have come for the Constables to be elected as father or mother, as the case may be, of the Parish certainly, but also simultaneously elected as direct members of this Assembly as opposed to being ex officio members as they are technically classified at the moment. As I said, I did not join this Assembly to completely trample and sweep aside all of the heritage and traditions of the Island, but I do think we have to evolve them and I do think there need to be improvements made.

**3.2.10 Deputy T.M. Pitman:**

If elected, would the Senator be willing to look again at the situation of States employees who wish to stand and, if I might clarify, at the recent elections in spite of being owed almost 2 months mixture of annual leave and T.O.I.L. (time off in lieu) I was forced to take unpaid leave, but I was told I could use my paid leave if I wish to campaign for my boss, the Minister for Education, Sport and Culture. This can clearly not be right.

**Senator S. Syvret:**

Obviously, I cannot comment on the particular individual circumstances of the Deputy, but yes, certainly, one of those questions I would look at again would be the whole question of public sector employees because it was, in fact, rather like the freedom of information. It was me who first raised this issue originally in the form of amendments to the States of Jersey Law. I was glad to see that it was ultimately taken up by the Chief Minister's Department but it was I who first raised the issue. It is quite, quite inappropriate as it was then to have very, very substantial numbers of people in the Island effectively excluded from participating in the democratic process. So, certainly, yes I think there needs to be more improvement.

**3.2.11 Deputy R.C. Duhamel:**

Does the Senator think there is a case to be made for a differential in the States remuneration for Ministers and Chairman?

**Senator S. Syvret:**

No, I do not, and indeed it was my infamous amendment to the States of Jersey Law which said that there should be no differential in pay. The reason for this ultimately is quite, quite plain. The main reason is that if you have a range of differential pay available for, say, Assistant Ministers and Ministers, an extra, I do not know, £20,000, £30,000 a year or whatever it might be, you are effectively handing to whoever the Chief Minister is a mechanism by which he can bribe Members of this Assembly into passivity and obedience with the carrot dangled in front of their nose of an extra £30,000 a year if they keep their mouth shut and play their cards right. It is quite, quite unacceptable. The only circumstances in which I could see there being any justification for differential would indeed be in a party political environment which the public would be electing the leader of the party and they would know who his Cabinet Ministers and so on were going to be largely in any event. No, I do not believe there should be any differential.

**3.2.12 Senator J.L. Perchard:**

I wonder if the candidate would explain, if he was chairman of the P.P.C., how he would defend the rights of employees of the States of Jersey who are accused of actions or crimes by a Member of this House and what he would do to ensure that the rights of individuals who work for the States are protected?

**Senator S. Syvret:**

The first thing I would do, unlike the outgoing Privileges and Procedures Committee, is take my copy of Erskine May down off the shelf and look at the whole basis and practice in parliamentary

privilege over the years and see ultimately that there are a variety, a huge number of occasions, in which Members of Parliament do use parliamentary privilege to name people ultimately when they consider it to be necessary and in the public interest. It is accepted parliamentary practice and it is in the public interest that that practice should be safeguarded and protected. Frankly, the day you have a Privileges and Procedures Committee that starts to take the axe to the concept of parliamentary privilege you are going down the path of profoundly damaging the functioning of your democracy. If States employees need protection, which frankly I doubt, the balance is already far too heavily in their favour, if they need protection in any event that is the role of the Chief Minister's Department and the States Employment Board, not a job for the Privileges and Procedures Committee.

### **3.2.13 The Deputy of St. Martin:**

I know the Senator favours electoral reform, but at present there are a large number of Island residents who cannot vote because they have not been in the Island for 2 years. If elected, would the Senator be minded to reduce that wait of qualifying time and if so, what would that qualifying time be?

#### **Senator S. Syvret:**

My answer to that question is I do not know at this stage. I do think there is a case to be said that before people vote in a community there perhaps needs to be some illustration of some kind of engagement and commitment with the community. That tends to be my view and the view I have some sympathy with. I do not consider 2 years to be a particularly onerous kind of a period of illustrating a commitment to the Island and, in fact, I was one of the Members who strongly supported changing electoral law some years ago because people who are foreign nationals who retained their foreign nationality, but had lived and worked in Jersey for many, many years in many cases, still could not vote and I am glad to say I was a strong supporter of changing that. I do see that we have to be inclusive and we have to bring as many people into the electoral fold as we can but, on the other hand, I do not think it is unreasonable for there to be some degree of commitment to the community having been shown.

### **3.2.14 Deputy R.G. Le Hérissier:**

I realise this is a bit tangential, but would the candidate comment on the fact where Members do name Members and it appears that the person so named has not been able to resort to the protection of due process in order to defend their name, that it could well be prejudicial to future proceedings?

#### **Senator S. Syvret:**

Indeed there is a danger in such things. This is in the realms of when matters become subjudice and my understanding is that only really begins to play into things upon the moment of charging. I do not think it is realistic to imagine that if anyone was perhaps known publicly and his name had been spoken of in connection with an offence, that that would immunise them from any prosecution. I mean let us face it, if it did every gangster the length and breadth of the nation would be making sure that their stories got reported in the *News of the World* before they were arrested and charged and then bingo, they would never be able to face justice.

### **3.2.15 Senator T.J. Le Main:**

How would the candidate deal with Members of this House who name and accuse and vilify the public sector and others on the internet?

#### **Senator S. Syvret:**

I would say that the question of parliamentary privilege applies within this Assembly and what Members do outside is a matter that exists in the realm of the courts as opposed to existing within the realm of parliamentary privilege. I have written a great deal about a number of extremely controversial matters on my blog site and anyone who feels that they have been defamed by my



blog is entirely at liberty and is entirely able to pursue legal proceedings. So, I think that what is the realm of parliamentary privilege and what is the realm of the courts has to be very clearly borne in mind.

**The Bailiff:**

I ask that the Constable of St. Mary be invited back to the Chamber and any other Members in the precinct who wish to vote in this election should also return to their seats. I invite the Deputy Greffier and Assistant Greffier to act as scrutineers. Would Members wish to continue with the appointment of the chairman of the Public Accounts Committee? I accordingly invite nominations for the chairman of the Public Accounts Committee. The voting papers are being passed around.

**4. Chairman of the Public Accounts Committee:**

**The Connétable of St. Lawrence:**

I am very pleased to nominate Senator Ben Shenton.

**The Bailiff:**

Is that nomination seconded? **[Seconded]** Are there any other nominations for the Chairmanship of the Public Accounts Committee?

**The Deputy of St. Ouen:**

I would like to propose Senator Sarah Ferguson.

**The Bailiff:**

Is that nomination of Senator Ferguson seconded? **[Seconded]** Are there any other nominations for the chairmanship of the Public Accounts Committee? Very well. I invite the second candidate, Senator Ferguson, to withdraw to the closed room. Senator Shenton.

**4.1 Senator B.E. Shenton:**

The Public Accounts Committee has probably been on my radar, so to speak, for about the past 12 or 13 months and it has always been at the back of my mind. It sort of came to my notice when the publication of R,105 the Machinery of Government Review and just to give you an excerpt of the sort of comments within the review, 6.23: “The subcommittee heard evidence from a number of witnesses expressing the view that P.A.C. had not proved to be effective.” 6.42: “The subcommittee noted a lack of clarity among States Members about the work of the Public Accounts Committee. There had been no relationship built up between P.A.C. and the Council of Ministers and Members generally were not aware of what P.A.C. had achieved in its first year.” 6.43: “P.A.C. held 11 meetings in the year, 4 of which were inquorate.” In my opinion, the Public Accounts Committee is one of the most important committees of the States and I do not consider this a backward move, moving from Ministerial government, but very much a sideways move as I do with any of the chairmanships of any of the committees. That is why I am keen for the endorsement of the Assembly for this move. I believe that the committee would benefit from a fresh look from someone with 30 years’ experience in investment management and a wealth of business knowledge. If you look at accounts through accountant’s eyes, you see very little. What you need to know is what questions to ask, what detail to look for, what trends to analyse and you need a degree of lateral thinking to find hidden savings and solutions and you need experience. I believe that, with the risk of losing the vote of the outgoing committee members, that the previous P.A.C. under Senator Ferguson did an adequate job, but they did not do enough thinking outside the box and became simply auditors to the accounts lodging a few minor tweaks here and there. P.A.C. should be so much more than this. It should be looking for solutions, looking for weaknesses and using its budget to perhaps occasionally commission its own reports as it is allowed. I have been through part A of the minutes and can only assume that the meaty stuff, like it is in the Council of Ministers, is on the part B agenda. Yet this is the Public Accounts Committee so I sincerely hope that the part B is not overflowing. How many in this House can remember any noticeable

achievements of the P.A.C. during the first 3 years? Remember they are not simply auditors. The States employ some very well paid people to do this job. I had a look at the U.K. P.A.C. report for 2007 to see what they had achieved. This is just in one 12 month period and a few of the many examples include the Department of Children, Schools and Families on the back of a P.A.C. recommendation has put in place measures to improve their ability to direct resources where they are most effective. The Ministry of Defence on the back of a P.A.C. recommendation has introduced a range of actions to increase recruitment including the new one Army recruiting change programme which provides a more efficient and effective recruiting process. The Department for Culture, Media and Sport is addressing key risks to delivering a successful Olympics in 2012 and legacy benefits in the longer term and have on the back of P.A.C. recommendations strengthened the oversight of risk management for the programme as a whole. Her Majesty Revenue and Customs, on the back of P.A.C. recommendations is taking steps to reduce I.T. (Information Technology) running costs and has set rigorous targets for the delivery of I.T. projects by its suppliers. Train users should notice improvements in their service as P.A.C. recommendations simplify the fare structure. This is just a small example of the achievements of the U.K. Public Accounts Committee for just one year yet our P.A.C. has been in office for 3 years. How many of you can remember any significant report that they have produced? Yes, they have done the basic work well, but they must start looking at the bigger picture. The written objective of P.A.C. is to improve the efficiency and effectiveness of States departments and States funded bodies by examining audit reports, by investigating the use of resources and public funds and by challenging the adequacy of the corporate governance arrangements. If we break it down, you could summarise it by saying that a Scrutiny Committee examines and challenges policy whereas the Public Accounts Committee takes the policy as read and focuses on whether it is delivering value for money. P.A.C. may wish to examine the financial analysis behind policies. This is to ensure that the financial assessments and projections on which policies have been promoted are soundly based and proper procedures have been followed. In short, this examination covers the 3 Es, economy, efficiency and effectiveness. I remember when I was on Scrutiny showing the States accounts to a partner of a large Channel Island accountancy firm. His response was they were obviously written by someone who did not want anyone to know what was going on **[Laughter]** and this very much remains the case today. Senator Maclean now sits in front of me but I went up to the airport to have a chat with him, to go through the airport accounts and to be honest with you, I had not seen accounts like it since I ran the Beaulieu School P.T.A. (Parent Teacher Association) and we got the figures through the Beaulieu Fete. It was nothing more than a basic income and expenditure table with no accounting for capital costs or reinvestment provisions. The airport is essential infrastructure. We should accept that it costs the Islanders money but we must know what the cost is in order to benchmark this cost against other airports of a similar size so that we can measure efficiency and performance, and I believe at the meeting I was promised that the accounts would improve in due course. The days of the fudge must end. The P.A.C. is neither political nor adversarial in its approach to questioning witnesses in hearings. This is set out under the relationship protocols and this is very important. It is important that P.A.C. is not hijacked by a political agenda. If it works well then Ministers should welcome P.A.C. investigation as it may uncover savings and efficiencies that they are not aware of. The department should take these recommendations as a positive outcome that could improve their own efficiency or utilisation of resources. Sometimes you can be too close to your own department to see a weakness or you may be unfamiliar with the different methods of dealing with a problem. The relationship with the Comptroller and Auditor General should be one of equals with both sides gaining from the relationship. On the primary school closure recommendation, he should perhaps have been looking at gaining more from the assets under threat and from giving them greater community use. Schools are dead assets most evenings, weekends and school holidays and at Health and Social Services we opened up the gym at Greenfields to a local gym club desperately searching for premises, as the gym was greatly underutilised. However, the P.A.C. must also include in its review a look at the budgets of the Comptroller and Auditor General himself to see if it offers taxpayers value for

money. **[Approbation]** In other words, what I am saying is that we must leave no stone unturned and no area should be outside our remit. Over the coming years we may well be drawing on the Stabilisation Fund. We must ensure that these funds are utilised in a prudent and meaningful manner. It must be used to provide local jobs and local investment in an efficient and structured manner if that is the decision of the Ministers. We are using taxpayers' money and it must be spent wisely and well. It must do as it says on the tin, and not be diverted to fattening up the civil service or the provision of jobs for overseas labourers. Jersey is embarking on significant capital projects, significant spending. Finance Directors, Chief Officers and Ministers need to be held to account, albeit in a manner where they do not automatically take recommendations as personal criticism. They must be made to buy into the recommendations and take pride in the implementation. I would welcome approaches from anyone that wants to sit on P.A.C. Being an accountant is not vital as we should be looking at the processes and policy implementation as much as the figures. If you want to spend all day doing audit, then become an auditor. The pay is a lot better than a States Member. We need to start working better, start working smarter and give the taxpayers what they want; a great public sector that is value for money. **[Approbation]**

**The Bailiff:**

I invite questions.

**4.1.1 Deputy R.G. Le Hérisier:**

After that rousing speech I wonder if the candidate could outline in more detail the precise role he would see for the Comptroller and Auditor General and what restructuring of the committee he might wish in order to improve the overall picture?

**Senator B.E. Shenton:**

The role of the Comptroller and Auditor General is already well defined and it is certainly not the job of the P.A.C. to determine that role. The relationship with the Comptroller has to be improved. I think at the moment we have a slightly subservient relationship between the P.A.C. and the Comptroller and Auditor General and it must be one more recourse. The committee, I would invite applications to join the committee and then I would sit down with the committee to talk about who we may get as external members of the committee that will add value, but we must act as a committee with leadership but we must also treat the Comptroller and Auditor General as an equal and not be subservient to him.

**4.1.2 Senator P.F.C. Ozouf:**

There is an important difference between the role of the Public Accounts Committee in scrutinising officers and the Corporate Affairs Scrutiny Panel scrutinising political decisions. Does the Senator have a clear distinction between the 2 different roles and does he see any conflict?

**Senator B.E. Shenton:**

The role of the Scrutiny Panel is to look at policy whereas the Public Accounts Committee is to look at policy implementation. We should never step over the line and start trying to influence policy or even comment on policy. What we are there to say is this is what you are trying to do, are you doing it well and could you do it differently?

**4.1.3 The Deputy of Grouville:**

With the Comptroller and Auditor General producing the reports what active role does the candidate see him and his committee partaking in?

**Senator B.E. Shenton:**

At the moment the Comptroller and Auditor General, to be honest with you, more or less runs the committee. He produces the reports, he directs what they look at and everything else. The committee has a fair amount of freedom to go off in different areas if it wishes, but it must always

stick within its remit of trying to provide public value for money. I cannot say what areas we would move into because it would be very much a committee decision to do that, but there are a number of areas that need looking at, as we are all aware of, and as I touched upon in my speech.

#### **4.1.4 Deputy G.P. Southern:**

The actions of the P.A.C. must not be subject to a political agenda the candidate said during his speech. Does he consider that the hijacking of the C.A.G. (Comptroller and Auditor General) report and presented as politically feasible and doable cuts was such a use of subverting the C.A.G. report to a political agenda at the senatorial hustings?

#### **Senator B.E. Shenton:**

I think the Comptroller and Auditor General could become a little more politically worldly wise, so to speak. I have a very good relationship with him mainly because, I will not say we disagree, but we have constructive arguments and then we agree after we both put our point of view across. I think we do have to be very careful with the way we put our reports out and I think we have to, in addition, be extremely careful about the timing of those reports and not be influenced by anyone politically as to the timing, but we must also take into account the effect a report may have if we decide to issue it on a certain day.

#### **4.1.5 Deputy A.E. Jeune:**

Does the Senator consider that Health and Social Services while under his leadership had accounting far superior to that which he saw at Mr. Maclean's department and can he explain why, as I understand it, Health and Social Services had difficulty in passing accurate, up-to-date departmental staffing information to the previous Public Accounts Committee?

#### **Senator B.E. Shenton:**

What we were trying to achieve at Health was a more flexible movement of staff within departments. We did have problems with producing the figures and there is still a lot of work to do, but to give you an example of one thing we did do at Health; at the Council of Ministers a request came from the Home Affairs Department to employ some more psychiatric consultants to work for Home Affairs and what we found was we had psychiatric consultants working for Home Affairs, we had them working at the schools and we also had them working for Health. They were under different contracts, all under different terms and conditions. They were not reporting to any one person. Basically as a resource we did not know what we had on the Island and one thing that we did do is we have now put them all under one actual reporting line so we know what resources we have on the Island with regard to this. The States information could do better. What we need to do with the airport, the airport is very much a capital hungry infrastructure so capital costs are exceedingly important. At Health, capital costs are important and, to be honest with you, we need to sort this out because a lot of Health properties are desperately in need of additional maintenance under Property Services and we have not voted the money for years but again it is something that P.A.C. can point the way in. No, the quality of figures at Health were not fantastic, but they were getting better

#### **4.1.6 Senator P.F.C. Ozouf:**

The candidate has been, I think, fairly critical potentially of the Comptroller and Auditor General. For the avoidance of doubt, could he confirm whether or not he has confidence in the current post holder?

#### **Senator B.E. Shenton:**

As I say, I have an excellent relationship with him and we get on very well and I have full confidence in him. What I think we can do is we can work together to get more out of P.A.C., get more for the public of the Island and more for the Ministers and more for the Scrutiny Panels and more for everyone. At the moment I believe it is a fairly benign type of committee that looks

through the accounts, does a few amendments here and there but it does not do any big picture stuff and it is not particularly proactive.

**4.1.7 Deputy G.P. Southern:**

In what capacity does the candidate see for co-operation between Scrutiny Panels and the P.A.C. and indeed with some involvement of the C.A.G.?

**Senator B.E. Shenton:**

Obviously the chairman of P.A.C. sits on the Chairmen's Committee so there is a meeting of minds, so to speak, with regard to what work is being done, but I very much think that you can do things very much on an ad hoc basis as well and you can help people out. If you have got a Scrutiny Panel that is short of accountancy skills or something like that, there is no harm in members of the P.A.C. perhaps offering to add a little bit of input here and there and I think a general dialogue between the panels and also between the Ministers as well would be helpful. I mean we are all working towards the same goal whether we be on Scrutiny, whether we be on P.A.C. or whether we be on the Executive.

**4.1.8 Senator P.F.C. Ozouf:**

The candidate has expressed some remarks about the savings report that was issued by the Comptroller and Auditor General. What would his targets for savings across the public sector be?

**Senator B.E. Shenton:**

I must admit I do not like the way that the States uses this savings thing. If we do something a slightly different way it is a saving and a lot of it is just fudging around with figures. What you are looking for is efficiencies. You are looking for good use of funds. If I was at Health, for example, we were short in a number of different areas. We did not have enough money to put in numerous different areas. Every week people were coming to me asking for more money. If we could save money in one area, we would then invest it somewhere else because that is where the money was going. We were voted a budget by this House to spend on Health and that is what we would spend the money on. If you doubled the Health budget, we could probably still spend it. So when we look for efficiencies, very much we are looking for efficiencies, so we can say to the Ministers, look you can save money here and then the Ministers can go off and invest it somewhere else in Health or bring it back to the House if they so wish, but that efficiency would be highlighted to the Chamber so the Assembly would know that that efficiency was there and if the Assembly wanted to pull that money back it would be very much up to the Assembly.

**4.1.9 Deputy R.G. Le Hérisier:**

The Public Accounts Committee here was modelled on the U.K. model where the Comptroller and Auditor General, as the candidate has said, has absolute freedom to roam and then he or she's report are commented on by the Public Accounts Committee who essentially give it political input. How would he restructure the mandate of our Public Accounts Committee to engage in the proactivity that he wants from it?

**Senator B.E. Shenton:**

I do not think you need to restructure. The mandate already says that the P.A.C. is free to undertake reports outside of the remit of the C. & A.G. It is just at the moment it chooses not to do so. So I think the remit is there. I think if you just read how the committee has been set up, we can do everything that I want to do without changing anything.

**4.1.10 Deputy G.P. Southern:**

Has the candidate ever tried to examine the budget and Business Plan figures produced by the Minister for Economic Development within his brief to understand where marketing money goes to

in the budget? If he has not, will he undertake to try and understand that Business Plan in particular because for the life of me over 3 years I have not managed to do it?

**Senator B.E. Shenton:**

I have tried and I would have been better off reading a copy of *Hello* magazine. [Laughter] The actual budget figures produced are completely ... they are very nice. They are very nice. But you cannot get anything out of it. It is only when you sit down with the Finance Director or the Minister, himself, and go through the figures in minutiae. They stick a load of different things under one heading. I am not just picking on that department. I think this is true throughout the States accounts. I mean if I was just picking up a copy of the House accounts that are produced and available to the public they would tell me very little as well. You need to get underneath and find out what the money is and also you need to know why they have: "Oh, that is a contingency just in case this happens or that happens" and you know darn well it is not a contingency at all. That is that little pot of money they use if they are overspending at the end of the year and they move it across. So it is very much going to be have to work with. This is where I am saying you can only get the information if you work with someone and someone will only give you the information if he trusts you and he knows that you are both working to the same agenda. So I am going to have to take my aggressive political hat off and put on my boring accountancy hat working ... there you are, I have upset Deputy Gorst already. [Laughter] But it is a role where you have to very much work with the people but you have to look outside the box. You might sit there and you might say: "Have you tried this or have you tried that or have you tried doing it a different way?" You have to work with them. The answer to your question is the accounts as published, you cannot get anything out of them.

**4.1.11 The Deputy of Grouville:**

The Comptroller and Auditor General identified efficiency savings in Culture of £500,000. The providers and I are at a complete loss as to know where we are to find these efficiency savings without closing theatres and museums. Does the candidate feel that there is a point of intervention where a political decision has to be made, and in this case to my mind it was whether we have to start realising capital assets, not efficiency savings? But at what point would the political decision be made on these reports?

**Senator B.E. Shenton:**

I think what we need to do is clarify some of the recommendation. Certainly at Health some of the recommendations that the Comptroller and Auditor General had made that we should do, we had already done so we could not do them again. What I would like to do as P.A.C. is we have already set the programme for meetings for next year for the general meetings but I would like to do is meet with the individual Ministers, Assistant Ministers, finance directors and so on and just go through the efficiency savings again and then go back to the Comptroller and Auditor General and say: "You are looking at this this way" because I will be honest with you, as far as I can see some of the savings were flawed. Again it was up to the old P.A.C. to pick that up, the fact that some of the savings were flawed and talk to the Ministers and go back: "You cannot do this. It has already been done. You cannot achieve a saving twice." So we need to sit down with the various Ministers and finance directors and just make sure what we can do is achievable.

**4.1.12 Deputy I.J. Gorst of St. Clement:**

I am confused. The candidate started off by criticising the current Public Accounts Committee for behaving too much like auditors and accountants. But then in answer to his last question he just said what he needed to do to get to grips with the problem was behave like an auditor. Which is it?

**Senator B.E. Shenton:**

I was talking about personality. [Laughter]

**4.1.13 Senator P.F.C. Ozouf:**

What will the candidate's reviews for the next 12 months be?

**Senator B.E. Shenton:**

I am not the sort of chairman that decides what the work is going to be and then asks the committee to come on board and we will all work together but this is what we are going to do. What I would like to do is put a committee together and I have a few ideas for external names. Then once we have got the committee together, we sit down as a team of individuals and decide what the reviews will be. The Comptroller and Auditor General has already produced a consultation document sort of highlighting the areas he would like to move into. But certainly I very much work as a committee. I give full power to my committee members and I certainly do not dictate where we are going to go.

**4.1.14 Deputy A.E. Jeune:**

When looking at how monies are being spent, what importance does the Senator put on benefits realisation?

**Senator B.E. Shenton:**

This is where I am very honest. I do not know what benefits realisation is.

**Deputy A.E. Jeune:**

It is ensuring that the benefits of the money that is being spent are being realised.

**Senator B.E. Shenton:**

That is one of the main jobs of the Public Accounts Committee, to make sure that where we spend the money, as I say, it does what it says on the tin. We get back what we are investing in.

**4.1.15 Senator P.F.C. Ozouf:**

The P.A.C. was set up with the concept of holding inquiries with accounting officers as opposed to politicians. Does he agree with the whole concept of it; it is holding chief officers and accounting officers to account rather than politicians, that is the scope of the P.A.C.'s work?

**Senator B.E. Shenton:**

Under the terms you can interview the politicians if you so wish. It is holding to account but it is holding to account in the way the money is spent. It is not a personal vendetta against anyone or anything like that. The P.A.C. will work a lot better if you work with the people that you are dealing with on a day-to-day basis. You need to get the confidence of the finance directors. You need to get the confidence of the Ministers. I would not see P.A.C. being at all adversarial. I think that if the Minister was called in front of P.A.C., he would probably cancel all his other appointments because he would be looking forward to it so much because he would be thinking: "How much money can I save and what big favour have they done me today?" **[Approbation]**

**4.1.16 Senator P.F.C. Ozouf:**

Does the candidate really think that he can avoid being adversarial and political point scoring in the important duties of P.A.C.?

**Senator B.E. Shenton:**

This is a new section and it is a new politician and a new paradigm. I am sure I can be.

**4.1.17 Senator A.J.H. Maclean:**

I was just wondering whether the candidate might like to give his views on the Comptroller and Auditor General's review of the airport's accounts. He obviously has his own personal views but

the Comptroller has also had a look at the accounts and I would be interested in the candidate's views on those.

**Senator B.E. Shenton:**

As I mentioned the Comptroller and Auditor General, in the past we have not always agreed but I am looking forward to a much closer relationship with him so that I can perhaps point out any flaws that I may have noticed so that he can counter any of those concerns that I may have.

**4.1.18 Deputy M. Tadier:**

Does the candidate think that as an accountant he is better placed then, let us say, an engineer for the job of a Public Accounts Committee?

**The Bailiff:**

Are you better placed as an accountant than an engineer?

**Senator B.E. Shenton:**

I am not an accountant. I am an investment manager. I do not know whether that is ...

**The Bailiff:**

Thank you, Senator. Perhaps you would be kind enough to retire to the closed room and we will ask Senator Ferguson to come up to the Chamber. In the meantime I can announce the result of the ballot for the chairmanship of the Privileges and Procedures Committee: 32 votes were cast for the Connétable of St. Mary; 19 votes for Senator Syvret. There was one spoiled paper. I can, therefore, declare that the Connétable has been duly elected as chairman.

**Deputy J.A. Martin:**

Just before the Senator starts to speak, I notice we are just quorate and I do think it is totally unfair that this Senator is going to get up and give her speech. **[Approbation]** I know it is late in the day and people might want a quick cup of tea or a drink of water but I really think they should come back in from the coffee room.

**The Bailiff:**

Perhaps they could take a leaf out of the book of the Presiding Officer and the Greffier who sit here all afternoon. **[Approbation]** I call upon Senator Ferguson to address the Assembly.

**4.2 Senator S.C. Ferguson:**

It will come as no surprise that I am standing for the chairmanship of P.A.C. I stood in the senatorial elections on a mandate of public spending and to the Public Accounts Committee and to continue with this work in this area. Public Accounts is much more than just controlling spending. Mainly P.A.C. receives reports from the Auditor General and then will decide whether to investigate, hold hearings and will report to the States on the States accounts, the economy, efficiency and effectiveness in the use of States resources, the use of public funds, whether extravagance and waste are being eradicated, whether sound financial practices are being applied, corporate governance. These principles underlie everything the committee does. The essential differences between the P.A.C. and Scrutiny Panels are that P.A.C. looks at the utilisation of resources, the cost of implementing a policy and will continually review and revisit topics. Contrary to popular myth, the P.A.C. does not look at projects or contracts in the formative stage. There have been calls for P.A.C. to review large expenditure items in the purchase stage. This is not the job of the committee. It would be participating in the purchase decision. If we do this, we cannot possibly review the value for money of the purchase decision and completion of the project. We would be totally conflicted. P.A.C. made a conscious commitment in 2005 to review the state of financial management within the States. We felt that it was essential to evaluate this before we could start making recommendations or conducting in depth reviews. There have been various



additional reports along the way but the main thrust has always been the achievement of best financial practice for the States. You cannot control spending if you do not know exactly what you are spending. As a result of this we have not achieved the same degree of publicity as the Scrutiny Panels. Better internal controls are not the stuff of which *J.E.P.* (Jersey Evening Post) headlines are made. The Auditor General does not make political pronouncements. It is up to the P.A.C. to bring matters to the attention of the Assembly. Two reports of particular significance were P.A.C.'s review of the Comptroller and Auditor General's report on the £35 million savings which shrank to some £5.8 million and the report on the States accounts for 2007 which identified significant weaknesses in the financial systems. It also enabled us to bring the issue of property maintenance firmly into the public arena. There have been other reports. That on Howard Davis Farm was significant and changed States thinking. That on Ministerial Decision MD.2007-0057 was even more significant. It involved amendments which would dilute the control of government expenditure by the States. Overspends would be carried forward, contrary to the principles of prudent financial management and control. Members of Scrutiny serve on more than one panel and I consider this to be a great strength. There are areas which could fall into the remit of either Scrutiny or P.A.C. Such a topic is that of forecasting. This was discussed in our hearing on the 2006 accounts and was subsequently taken up by the Corporate Scrutiny Panel which has produced an excellent report. One of the important points in this is the suggestion that the budget assumptions should be reviewed by the Auditor General. I think this is an excellent example of Scrutiny working together - joined up government. What of the future? The committee's work is a mixture of matters highlighted by members of the committee, topics revisited and topics arising from the Auditor General's programme. The retiring committee has prepared a schedule of points to follow up from previous reports. The committee has also initiated a review of States insurance and a hearing on procurement has been pencilled in for early next year. There were a number of amendments to the Business Plan following the spending review report and the report on the accounts of the States. These will need to be followed up. Then there are the matters arising from the programme of the Auditor General, the States accounts. There will also be a review of performance measurement and management, a review of benefit fraud management arrangements, a follow up to the States response to the challenges of the spending review and there will be a detailed review of at least one States department. P.A.C. will also be reviewing the Public Finance Law and will be addressing the need to extend the Auditor General's remit to cover any area where public money is involved. The recent report on W.E.B. (Waterfront Enterprise Board) demonstrated the constraining effect of the current restrictions. It was also obvious from the committee's hearings on the 2007 accounts that the treasurer's role needs to be more clearly defined. He has powers under the law but not explicit responsibilities. These should be defined. A training session has been organised with a leading consultant on corporate governance and public sector accountability early in January. The committee has developed an excellent working relationship with the Comptroller and Auditor General. We discuss. We do not dictate to each other. The independent members have been valuable members of the committee. We have access to some very high-powered brain power on an honorary basis. In fact I have had a first class committee, politicals and independents, who have more than justified my faith in them. The Public Accounts Committee operates on a non adversarial basis. We deal with civil servants who are not able to answer back. Importantly we need to work with them to achieve such things as the £30 million savings and efficiencies highlighted in the spending review. The funds released there could well be used to relieve spending pressures in the vital social programmes of the States. We have put in the groundwork. We have achieved much. Not all of this is obvious. The improvements in the presentation of the States accounts, for example. But that is the nature of work in this area. My aim is very simple. I would like to have the States finances run with the same efficiency as the Parish accounts. I can best help to achieve this as chairman of the Public Accounts Committee. I asked for an all Island mandate on the platform of public spending and the Public Accounts Committee and the public gave me their confidence. I ask this Assembly to endorse that mandate to continue this important work.

#### **4.2.1 Deputy R.G. Le Hérisier:**

I wonder if the candidate could outline whether she would like to see more value for money reports and, if so, in what areas of government does she feel the need is greatest?

#### **Senator S.C. Ferguson:**

Where do I start? I think every report we do does use the principles in the value for money. I think the performance measurement and management is going to be an extremely important report. I mean are we getting value for money out of performance measurement? Some of the candidates for Minister for Education, Sport and Culture spoke of the gap between the performance measurement of exam results and the people who leave school without being able to read and write. There are no statistics or performance measurements published on that. This sort of thing we need. There is a review of data security going on at the moment. The in depth review of a department will also be looking at value for money. I think it is implicit in everything we do.

#### **4.2.2 Deputy G.P. Southern:**

The previous candidate suggested that the Comptroller and Auditor General's report should not be subverted by a political agenda. Does the present candidate not consider that her use of the C.A.G. report on potential savings which were written strictly from an accountant's point of view were used by her on the hustings to subvert that into a political agenda suggesting that these suggested savings were easy and could be done and that she would see them through when in fact they are very difficult and many of them were politically difficult?

#### **Senator S.C. Ferguson:**

The Deputy has asked me a question similar to that in question time a few weeks ago. The Comptroller and Auditor General made suggestions. How they will be implemented depends very much on this House. It does not necessarily mean that services will be cut but that services can be changed which is value for money again. I do not think it is using it politically. How the taxpayers' money is used is a matter that the taxpayers feel very strongly about. They showed their confidence in me in that by accepting my platform.

#### **4.2.3 Deputy J.M. Maçon:**

The Comptroller and Auditor General has identified a saving of £30 million - not initially but eventually. Can the candidate please inform the House about what the candidate herself has done while being on the P.A.C.; not the Comptroller and Auditor General?

#### **Senator S.C. Ferguson:**

We have this sort of symbiotic relationship. I will come up with ideas. He will come up with ideas. We are looking at States insurance. We have given him the political voice that he needs and we discuss all his ideas to consider the political implications of what he is suggesting. It is a very wide ranging and open discussion, no holds barred, that we have at meetings. Our meetings are public. People are welcome. But obviously where there are technical matters like some of the finer points of G.A.A.P. (Generally Accepted Accounting Principles) accounting then we must rely on his advice because of his standing.

#### **4.2.4 Deputy R.G. Le Hérisier:**

It is argued in some quarters, Madam Candidate, that the Comptroller and Auditor General produces the report and P.A.C. comments on them. Some people wish P.A.C. to be also involved. Why do we need 2 different entities, each producing sets of reports?

#### **Senator S.C. Ferguson:**

The Comptroller and Auditor General is appointed by the States Assembly and reports to the States Assembly but he has no political voice. He is totally independent and does not enter into the political arena. The Public Accounts Committee is really the side of the symbiosis that brings items

that it considers of particular interest into the public arena. Such a thing was the highlighting of the lack of maintenance of States buildings that we highlighted in the public hearings on the States accounts.

#### **4.2.5 Deputy P.V.F. Le Claire:**

That is a nice segue into my question. Could the candidate tell me how she feels about the fact that such a large proportion of States property which represents taxpayers' money is languishing in a poor state, especially buildings such as the Girls' College which now has numerous shattered windows?

#### **Senator S.C. Ferguson:**

Yes, I feel very strongly about it. I mean we are talking about £100 million over the next 10 or 15 years. I fully support the Property Holdings proposals to charge departments for the area they occupy because I think we are very lax on the amount of space people occupy. I do know of a deputy director of a department who has retired and his office is now occupied by 4 people. We need to use our property efficiently. We need to maintain it properly. We have too much property. I have a great deal of faith in the property management team to bring this under control.

#### **4.2.6 Deputy A.E. Jeune:**

Does the Senator believe that service level agreements are essential in order to ensure we get value for money when departments are giving funding to third parties or outside agencies for service delivery?

#### **Senator S.C. Ferguson:**

I think service level agreements are extremely valuable because both sides then know what they are paying for and what services are provided. It gives a degree of certainty. I think this is one of the matters that upset me about the Family Nursing and Home Care because we were talking about the service level agreement when I was on the Health Committee with Senator Syvret in 2004 and it still has not been resolved. I think service level agreements give a degree of certainty. They are good.

#### **4.2.7 Deputy J.A. Martin:**

The candidate clearly pointed out the difference between Scrutiny Panels and it is the fact that P.A.C. will normally question chief officers, accounting officers and other department officials. Can the candidate point to any savings P.A.C. alone have made that have ultimately been taken on by this House or implemented?

#### **Senator S.C. Ferguson:**

I think one good thing about P.A.C. and pounding on about value for money is that so many more States Members know the phrase and question the value for money. We have produced alterations and improvements in the reporting of States accounts. This is not very obvious to people. It is not very glamorous but it does mean that the accountability of the States to the public is clearer. But the one thing we had to do over this last 3 years is to establish the state of financial management. We are more than just saving money. We are making sure that the financial system is best practice, is fit for practice and runs efficiently. Until you understand the system, you cannot really start on the nuts and bolts of how the system is working. I mean we have a system where every single department has a different ... for the same ledger line, each department will put different items into the ledger. How on earth can you identify comparative costs when you cannot even identify the costs? A few weeks ago I asked for the amount the States spent in total on photocopiers and nobody could give me a straight answer. You have to understand the system before you start playing with it.

#### **4.2.8 Senator P.F.C. Ozouf:**

What efficiency saving does the candidate think that a P.A.C. under her leadership could deliver in the next 3 years?

**Senator S.C. Ferguson:**

I think the first thing is a proper set of financial directions for all States departments which will come from the Treasury. I think we need to make people take budgets seriously. The Auditor General has been heard to say that nobody in the States takes budgets seriously. If you ask them how they have performed according to last year's budget, they say: "Which budget?" I think these sort of playing around and game playings must be dealt with first. I think that is more than just efficiency. I think that is root and branch reform.

**4.2.9 Senator T.A. Le Sueur:**

Is the candidate satisfied with the progress being made to produce accounts under Generally Accepted Accounting Principles and, if not, are there ways in which she thinks it could be improved?

**Senator S.C. Ferguson:**

I think that excellent progress is being made. We had a very useful briefing meeting with the Treasury officials and the then Assistant Minister for Treasury and Resources a few weeks ago. We ironed out a few problems that we were concerned about over G.A.A.P. accounting and, as I understand it, it is well on track for coming in with the 2008 account. No, we are very pleased to see the progress and we are pleased to see the way the Council of Ministers has supported this.

**4.2.10 Deputy T.M. Pitman:**

During the senatorial elections, the Senator stated that social justice costs money. In a democracy even for accountants would the Senator not concede that social justice far outweighs any budget concerns?

**Senator S.C. Ferguson:**

Yes, I agree with you but unfortunately as has already been said, we are where we are. Unfortunately social justice does cost money. If we want to improve the income support system we must have the wherewithal with which to do it. Unfortunately we are living in a credit crunch, money is tight and we do have to watch our pennies. I am absolutely in favour of social justice but we must do it within limits without placing too heavy a burden on taxpayers.

**4.2.11 The Connétable of Grouville:**

The incinerator, for instance, was a very large expenditure. At what stage do you think that the P.A.C. should look at this project?

**Senator S.C. Ferguson:**

As I said in my introductory notes, the P.A.C. does not look at projects or contracts in the formative stage. To look at the incinerator at this point in time would be pretty well participating in the purchase decision. That really is not appropriate. The P.A.C. would look at it when the incinerator is built, when everything allied to it is in place and would then examine the way the project has been handled, how much it has cost and whether it represents value for money.

**4.2.12 The Deputy of St. Martin:**

The Senator for the past 3 years has chaired the P.A.C., chaired the Chairmen's Scrutiny Committee and has been a member of the P.P.C. Does the Senator think that she has possibly spread herself too thinly and to the detriment of each of her responsibilities? If re-elected, will the Senator be looking to hold on to all 3 positions?

**Senator S.C. Ferguson:**

No, we have had a great deal of work behind the scenes on the P.A.C. for the last 3 years and now we get to the more exciting stage where we start implementing the reform of the shortcomings in the financial systems that we have identified. That will require even more work I think and, therefore, I do not think I will be spreading myself quite so thinly although there is quite a lot to spread. [Laughter]

**4.2.13 Senator J.L. Perchard:**

The Constable of Grouville asked what I thought was a very important question about a one-off capital expenditure of over £100 million. The candidate replied by saying we would look at the whole deal retrospectively. Could the candidate explain as to the point of doing that? It is a one-off project. She is saying that we would learn the lessons for the next time we buy an incinerator. Why would she not work constructively alongside T.T.S. (Transport and Technical Services) to ensure best practices happening as the deal is unfolding?

**Senator S.C. Ferguson:**

The Audit Commission back in 1998/1999 or possibly earlier set out rules to control capital expenditure and to ensure that best practice was followed. These have been adopted by the States and are followed. Public Accounts Committees look at the way money has been spent. Public Accounts Committees do not look at the way in which you are going to spend the money. Therefore, the Public Accounts Committee would look at the project once it has been completed. This is the remit of the Public Accounts Committee and we would be following it.

**4.2.14 Deputy S. Pitman:**

Having said that, does the Senator not think that the remit of the P.A.C. be changed so that the value for money of the incinerator would have been looked at before it was built?

**Senator S.C. Ferguson:**

I am not sure that you can look at value for money when you have not spent the money. The way all Public Accounts Committees work is that they look at money when it has been spent. I see no reason that the Public Accounts Committee in Jersey should operate any differently to the Public Accounts Committee in the U.K., Scotland, Wales, the U.S.A. (United States of America) or anywhere else in the world.

**4.2.15 Deputy M.R. Higgins:**

Does the candidate feel that if the terms of the Comptroller and Auditor General's remit do not allow it, that they should be changed to allow him to look at capital projects such as the incinerator before the signing of the contract to see whether they are being signed in the public interest?

**Senator S.C. Ferguson:**

I think, knowing the Comptroller and Auditor General, that is a matter for him. He is totally independent of the Public Accounts Committee. He is totally independent, apart from reporting to the States. He has a view of his role and his position and that is a matter for him. I can certainly raise it with him but I doubt it very much.

**4.2.16 Deputy M. Tadier:**

I just want to go back to something that the Senator said. I was having trouble believing my ears that you cannot look for value for money before you buy something. I know when I go to the supermarket I certainly make an assessment in my own head as to what is good value before handing my money over. So could you tell me did you really say that? Through the Chair.

**Senator S.C. Ferguson:**

Yes, I agree with that. It is nice to hear a man knowing what value for money is. [Members: Oh!] I usually have to explain it. No, the way Public Accounts Committees work whether it is, as I say,

in the U.K., Australia, New Zealand, Canada, you name it, is that they will look at projects once they are completed. It is possible they might look halfway through but normally they come in towards the end of a project, not at the very beginning, not before the purchase decision.

**4.2.17 Deputy G.P. Southern:**

I return quickly to the C.A.G. report that suggested £30 million of savings. One of those savings was £250,000 from the Youth Service. How does the candidate think that could be delivered?

**Senator S.C. Ferguson:**

That was a sum agreed between the Chief Officer of Education talking to the Auditor General. It will obviously be up to the Minister for Education, Sport and Culture to examine that and to see whether it can be delivered as part of the implementation plan that the Public Accounts Committee asked for in the Business Plan debate.

**4.2.18 Deputy R.G. Le Hérisier:**

I wonder whether the candidate could comment on whether ... it will be raining tomorrow?  
[Laughter]

**The Bailiff:**

I ask that Senator Shenton be invited to return to the Chamber. If all Members have placed their papers in an urn, I will ask the Deputy Greffier and Assistant Greffier to act as scrutineers. While the counting takes place, I wonder if I might have the attention of Members please for a matter of business arrangement. It seems clear from the progress so far that the appointment of chairman of scrutiny panels and chairman of the Jersey Overseas Aid Commission may very well take up the whole of Monday. It is probably impractical to contemplate on Tuesday morning asking those chairmen to propose members of the panels. There are 2 options available to Members. One would be to defer the Tuesday morning session until Tuesday afternoon or alternatively to reconvene at 9.30 a.m. on Wednesday. Past experience indicates that it only takes 2 hours or so to appoint the panels. It may or may not be a material matter that the Christmas lunch takes place on Tuesday. Members may wish to ...

**Deputy P.V.F. Le Claire:**

I think that latter suggestion of Wednesday at 9.30 a.m. is a very sensible idea so I will propose it, ask for a seconder and we will go from there.

**The Bailiff:**

We may need to go to a vote. Would Members agree to reconvene at 9.30 a.m. on Wednesday instead of 9.30 a.m. on Tuesday?

**Deputy J.A. Martin:**

Sorry, Sir, I was going to make a counter ... I do not know. I mean Scrutiny obviously, like Ministers and Assistant Ministers, have already been talking. We elect the chairs on Monday. I really do not know and I leave it to the people who are in Scrutiny to think that they have not already approached people and who is going to stand if they cannot come up with 3 or 4 people by Tuesday morning. That would be my option. Obviously it is in the hands of the House, but I really think that that would be ... straight through. I mean we adjourn for the Ministers. We go through. By Tuesday lunchtime we have a whole ministry, whoever and Scrutiny Panels. I think it is not beyond the realm of this House to do it. [Approbation]

**The Bailiff:**

Let me test the feeling of the Assembly. Deputy Le Claire?

**Senator A. Breckon:**

I wonder if I could speak to that?

**The Bailiff:**

We do not have a proposition yet.

**Senator A. Breckon:**

I thought Deputy Martin was proposing it.

**Deputy J.A. Martin:**

Sorry, there were 2 propositions. That was just an alternative.

**The Bailiff:**

The status quo is that the Assembly meets at 9.30 a.m. on Tuesday. Now there is a proposition of Deputy Le Claire that the Assembly reconvene not on Tuesday morning but on Wednesday morning at 9.30 a.m. Is that proposition seconded? No? Very well.

**The Deputy of St. Mary:**

Can I make a third proposition or second one I think it is now? Tuesday afternoon. I do not know if this is possible. You cannot? No, because ... it is all very well for the old people who know everybody but some of us do not yet.

**The Bailiff:**

There was not a seconder to the proposition that the Assembly convenes on Wednesday morning. Is there a seconder to the proposition that the Assembly should reconvene on Tuesday afternoon? No?

**Senator P.F.C. Ozouf:**

If we are going to be all day on Monday discussing Scrutiny Panel chairs, I think that in all realistic practice that the Council of Ministers should be able to meet at some point prior to the States meeting finally. There are important issues of Assistant Ministers and chairmen of Scrutiny Panels. It only gives us overnight in order to do that. I just do not think that that is realistic. So either it should be later on on Tuesday morning or Tuesday afternoon. I think it is railroading. I think there are genuine discussions to be held among Members about which panels they wish to sit on and this needs to be done in a timely manner surely.

**Senator S. Syvret:**

I cannot understand why Senator Ozouf should really need extra time. It is not as though the Council of Ministers - the establishment side - has had any difficulty carving up the seat so far.

[Laughter]

**Senator A. Breckon:**

I wonder if I may ask if you could give a ruling from the chair on this? If somebody was to propose a Scrutiny Panel of 3 or 4 members and that included a vacancy, would that be acceptable? In that case Members would have in fact a month to consider what the work of that panel was and whether or not they get involved. But I understand the Greffe have already sent out to some Members a request that they might indicate what they feel about certain areas of work. I think we would not have to conclude everything on Tuesday. I think if there were some vacancies, Members would have more time to consider that. I wonder if that is possible under Standing Orders if a vacancy could roll over until January?

**The Bailiff:**

What Standing Orders provide is that the chairman of the Scrutiny Panel shall indicate the number of members, not exceeding 4, that he or she wishes the panel to have and then nominates members

to that panel. I suppose it might be ... the Standing Orders are silent on the matter. It certainly would be possible for the chairman of a Scrutiny Panel to invite the Assembly to appoint 2 or 3 members and then at a later stage to invite the Assembly to appoint further members.

**Senator A. Breckon:**

Could I ask then perhaps if Members would bear that in mind and then if there was chairman of Scrutiny Panels they could nominate 2 or 3 members with the proviso that they could come back in January if somebody expressed an interest and change that. I do not think it is rocket science.

**Senator T.A. Le Sueur:**

I was going to make a very similar point. In the old days of committee systems it was often the case that some members would be nominated subsequently and there were vacancies left open. I think in the current circumstances although we may not take all day on Monday, we need to be prepared for that. But I think if there is provision that we can if needs be added to the names of candidates subsequently to next Tuesday, that seems an appropriate way to proceed.

**The Bailiff:**

All right. Is it the consensus then that the status quo remains that we reconvene at 9.30 a.m. on ... **[Approbation]** Anything new? Deputy?

**Deputy P.V.F. Le Claire:**

I do hope that the suggestion that we would appoint 2 members of a Scrutiny Panel has not been necessarily taken up yet and that that would be debateable at another time because I think there are issues there.

**The Bailiff:**

Senator, that will be a matter entirely for the Scrutiny chairmen, what they decide to do.

**The Deputy of St. John:**

Are we not meeting Monday, Sir? A continuation of this meeting is Monday? Thank you.

**The Bailiff:**

May I announce the result of the ballot for the chairmanship of the Public Accounts Committee: 33 votes were cast for Senator Shenton; 19 votes for Senator Ferguson. I declare Senator Shenton to have been duly elected. **[Approbation]**

**Senator S. Syvret:**

Before the Assembly adjourns, I would just like to say a few words to congratulate Senator Le Sueur on achieving the seemingly impossible and putting together a Council of Ministers even more extreme right-wing and exclusive than that presided over by Senator Walker.

**The Bailiff:**

Senator, that is an abuse of order. I did not call upon you to speak to make comments of that kind. The Assembly is now going to adjourn. We will reconvene at 9.30 a.m. on Monday morning.

**ADJOURNMENT**