

# STATES OF JERSEY

## OFFICIAL REPORT

FRIDAY, 8th JUNE 2018

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[09:31]

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

## **APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

### **1. Chairman, Privileges and Procedures Committee**

#### **The Bailiff:**

The next item of business is the appointment of a chairman of the Privileges and Procedures Committee. I remind Members of the law, which requires the States to appoint an elected Member who is neither a Minister nor an Assistant Minister to be chairman of that committee. Can I ask, are there any nominations?

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

Before we know who the pool of potential candidates are, we need to know presumably who the Assistant Ministers are. Have they been named? Was it in ...

#### **The Bailiff:**

Chief Minister, are you able to tell us who the Assistant Ministers are yet? If you are not, then ...

#### **Senator J.A.N. Le Fondré:**

Not quite yet, Sir. I thought the procedure was that it was after the chairman of the panel.

#### **The Bailiff:**

If somebody wishes to be nominated for chairman of the Privileges and Procedures Committee, they rule themselves out of being Assistant Minister. Are there any nominations?

#### **Deputy S.M. Wickenden of St. Helier:**

Could I please nominate Deputy Russell Labey for the position?

#### **The Bailiff:**

Is that seconded? **[Seconded]** Are there any other nominations? Very well. Deputy Labey, you have 10 minutes and then we have 20 minutes of questions for you.

#### **1.1 Deputy R. Labey of St. Helier:**

Last year I had the pleasure of attending the Australia and South Pacific Region Commonwealth Parliamentary Conference in Sydney, Australia. The theme of the conference was outreach, outreach to remote communities or remote areas, to women and to young people. I remember the Honourable Kerry Finch, who some Members are familiar with, the delegate from Tasmania, lent across to me and said: "Well, you do not have these problems in Jersey." I said: "We do not have geographical problems with outreach, but we do have some social issues with outreach. By the way, here is our voter turnout figures" and there were raised eyebrows. I think it is a very important part of the role of the P.P.C. (Privileges and Procedures Committee) chair to continue the work, to reach out to all members of our community, not just to come out and vote, but to come out and participate in the parliamentary process. We received presentations in that conference from a delegate, a lady from the autonomous region of Bougainville, who had to trek up a mountain for a total of 3 days to reach a community who had never seen a politician before. She was a wonderful woman and we became great friends. She brought her knowledge, her humanity and a lot of food and they had a barbeque. For the first time, people were engaged in that process. I thought it certainly put my trek from Mont Millais to Havre des Pas into perspective. We also had a presentation from the delegate in a constituency in the Northern Territories of Australia, whose constituency is bigger than Germany and

he has to replace the tyres on his S.U.V. (sports utility vehicle) every 6 weeks. In fact, his expenses for travel in that constituency are bigger than his salary. We heard from delegates from some of the South Pacific islands. There was one lady who came to the dais earlier than her 2 male colleagues, but was waiting and waiting for them to reach the stage. She explained that she could not speak before them, because in her community the women speak after the men. The men arrived and they said: "Go ahead, speak first" and it was interesting to see them making an effort to try to change this deep-rooted tradition. We heard some what you might call elders from one community again and one Parliament in a South Pacific island and we were talking about reaching out to young people. They said: "We have a slight issue with this, because in our tradition young people are supposed to sit and listen to their elders." Again, they were trying to reach out. We do not have such difficulties, but we have different difficulties. We have to reach out to people who have never read a *J.E.P.* (*Jersey Evening Post*) in their life, but they are in our community. We have to reach out to people for whom English or Jersey is not their first language. We have to reach out to people who may be working 100 to 200 yards from the Town Hall polling station on the Esplanade in the finance industry and are from the U.K. or other areas in the world. I would like to focus on a drive to try to educate people and interest people in our work, because we have to be seen as more than quirky or quaint, we have to be seen as relevant, as dynamic, as energetic and important to people's lives and the Government of the Island. I think we have to also absorb what has happened in the last election, where there was an election. We have to take note of the comments from the Commonwealth Parliamentary Association observers. There is work to do. We have to attempt once more to reform our Constitution: electoral reform, how we get elected - and I think that process on the newly-formed P.P.C. should begin immediately and we should strive very hard to bring acceptable proposals to this House to try to eliminate the anomalies in our system. As I remember my predecessor saying so often during his tenure, it will require compromise from everybody. There are initiatives underway already with the Greffier and his assistants and the former committee to look at things like our privilege laws here. We can speak with privilege and that possibly needs to be strengthened. We have the new system of the Commissioner for Standards and that system is bedding-in, but there are issues. My first job will be to bring the Referendum Act on the Bailiff's role to this Assembly, which I think will be at the first sitting on 26th June. I have been very interested throughout my life - I have probably said this to the Assembly before - from a very young age, 10 years-old, going around Grouville with my dad and posting the leaflets through the doors of Grouville, for whichever candidate he was supporting at the time, John Averty or Bernard Binnington; I can remember a couple of those names. I have always been interested in politics in Jersey. I then covered politics from those windows there for both the BBC Radio at one time and also Channel Television; I sat there.

[09:45]

That was considered a bit of an arduous job when I got given it by Michael Lucas at Channel Television and I loved it. I loved sitting there listening to debates and preparing reports on them. When I was elected 3½ years ago, in my naivety and slight arrogance, I have brought propositions to do with electoral reform to the Assembly, not incredibly successfully, but I need a bit of help and advice. I must say in closing that my predecessor leaves very large shoes to fill, but an excellent template to follow and I will strive to do that.

### **The Bailiff:**

Thank you. We have up to 20 minutes of questions and I call on Senator Mézec for the first question.

#### **1.1.1 Senator S.Y. Mézec:**

One thing that became abundantly clear to me throughout the recent election campaign is that some of our polling stations are simply not in the optimum places for voters, who struggle with travel to get to. Would the new chairman of P.P.C. be prepared to look at having some sort of rationalisation

to make sure these polling stations are in the most convenient locations for voters? Would he also like to look at technology that could allow people to vote at whichever polling station they would prefer? The technology does exist and, frankly, it is a little bit embarrassing that we are so behind on the times in this way.

**Deputy R. Labey:**

I thank the Senator for his question and I wholly concur, absolutely correct. It is ridiculous to me that some of our polling stations in St. Helier in the most difficult places to park your car and get to the polling station. We would be better off having a polling station at B&Q. I think we have got to move forward with technology to help us to do that. We are losing votes because people have not been able to get to their polling station, they might be working or what have you, or it might just be inconvenient, so we have got to try to go to them with polling stations in perhaps less traditional and more convenient places. I agree that any polling station should be able to take your vote. It is possible - the gentleman to my right will know more about this than I - that technology might help us to do this, in that if you go to a polling station and you register your vote on a computer rather than the bits of paper, this might be a good thing. What I am not in favour of is - this is my mindset at the moment - any kind of suggestion that you could vote from your home, you know, after a few beers, get the pizzas in, watching the game and then: "Oh, let us vote. She looks nice, cross." I think we have to accept there needs to be some effort on the part of people who are taking part in the election and voting. One wants to think that they have read some of the material. They could not possibly read all of it, I guess, in some constituencies, but one wants to think that some people have made an effort.

**The Bailiff:**

Yes, Deputy Tadier.

**1.1.2 Deputy M. Tadier:**

The candidate talked about electoral reform and of course he was on the notorious Option C side of the debate in the referendum - the first doomed referendum - which some of us were perhaps foolish enough to take part in the campaign for. Ultimately he got his wish to see Option C, which lost the referendum, coming third, but was implemented by the States Assembly subsequently. Can the candidate assure us that while he was a member of Option C - and it has to be said perhaps he was the most charismatic of the campaigners for that particular cause - he does not want to see no action, which is essentially what Option C was, no change, and could he outline what his vision is for the membership of any future Assembly?

**Deputy R. Labey:**

I thank the Deputy for his question and kind comments. The *status quo* is not an option, in my opinion. That referendum feels like ages ago. My feelings and opinions are changing. I think that everything should be open to question and consideration and reconsideration. We cannot continue like this. We have to look at what the observers have said. Are the observers telling us anything we did not already know, to be honest? We do know that we have got issues and we have got to tackle them. I suppose I could just give you that assurance, that my mind is fully open and I would like Members who join me on this committee - because it is really very important - to also come to it with an open mind, because we have to, I think, make the attempt to do this reform internally from P.P.C., if we can, sensible reform. If we cannot do that, then we have to go to a Royal Commission or something similar, because staying still is not an option. We have to move forward. That is my position.

**Deputy M. Tadier:**

May I ask a supplementary?

**The Bailiff:**

Senator Mézec is already at top of the next load of questions. I have got 6 Members wanting to ask questions, so we will follow the process we did yesterday. Senator Gorst.

**1.1.3 Senator I.J. Gorst:**

The candidate mentioned the Commissioner for Standards and I congratulate his predecessor on making that a reality. I do not want to comment on the findings of the Commissioner for Standards; that would be wholly inappropriate. However, I do feel - and I have been contacted - that there are some issues about how those findings are publicised and whether there is not currently the potential to make people perhaps not make complaints because of the publicity that will be given to them, having made a complaint. Would he undertake to review how the Commissioner's findings are publicised and whether there is not a place for some anonymity to complaints? However, it has to be appropriate.

**Deputy R. Labey:**

Yes, absolutely, I will give that undertaking to the Senator. We must look at that. The Commissioner for Standards and his work, is still very young, is it not? I believe that there is a feeling that he should interview complainants and those being complained against, which does not happen at the moment. He gets all the paperwork sent to him and he rattles off his findings from that, which is something he has been used to doing in the House of Lords and that has been found to be completely acceptable. If there is going to be witness statements face-to-face, that is going to incur more costs, of course, we will have fly him over and accommodate him. I think that we should be very careful. There is an argument for saying there should be a filter so that obviously vexatious or ridiculous complaints do not necessarily have to be sent to the Commissioner for Standards, but that has a plus side and a minus side too, because once you start putting in the filter, you open yourself up to people saying: "This is not fair, because you are burying this, you are burying my complaint because it is one of your mates and it is not being sent up to the Commissioner for Standards." There is a balance to be struck between whether it is worth spending the money that is being spent on a resolution or whether that is really a wild goose chase and a waste of money. I think that already the Greffier is looking at the process of the Commissioner for Standards and looking at areas that need to be ironed out.

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

We know that during the election, the public often complain about the low quality, as they see it, of candidates standing. We know that the Remuneration Review Body have time and again said that the package currently offered to States Members is not enough to attract people perhaps in the peak of their careers or excellence or whatever. While it is very easy for the chairman of P.P.C. - and I have been there - to spend a huge amount of time getting into constitutional issues, what priority will the candidate give to improving the package and support for States Members in order to attract greater competition and quality candidates standing in elections?

**Deputy R. Labey:**

It is absolutely vital and it must be a huge priority. I think the Deputy mentioned the Remuneration Review Body. I had a very big problem with the way that body operated last time around. I do not want to overstep the mark in terms of being politically influential in the wrong way for a committee that has to work independently of us. That is very important, but I wonder if their terms of reference are not so ridiculously broad that we are not getting proper focused and helpful results. It might be that we have to look at refocusing those terms of reference and attracting candidates has to be top of that list, because we could be in dangerous territory. We had a lot of elections in Parishes that did not happen and what is going to happen if no one wants to stand? We are teetering on that precipice where no candidate comes forward in our current constituencies. That is incredibly dangerous. The



money is never the motivation to enter this House. Whatever people may say on the Twittersphere or what have you, I know for certain that money is not the motivation for anyone who is presently sitting in this House; fact. **[Approbation]** However, we have to ask ourselves if we are not falling behind the times in attracting candidates. I have heard it during the course of the last election: I have talked to several people: “Why do you not stand? You would be a brilliant candidate.” “I cannot afford it at the moment.” We are very lucky and fortunate to have a new Deputy of St. Saviour in Deputy Perchard and she has left a great job as a young teacher. She will have had to, I imagine, leave her pension scheme. What is going on? That was thrown out by the Assembly and it was the wrong thing to do. We have to get with the times. That is one area where we should catch up. Young people especially should not have to stop their pension to come in here, they should be able to continue with it and we should be a good employer. We are to everyone else on this thing except for the Members of the States. I do think the Remuneration Review Body should report in the first year of a Parliament. It is no good waiting until the last, because I am afraid sometimes this stuff is difficult and unpalatable and no one is going to want to tackle that and be brave with this when they are potentially facing an election. I am afraid that is a fact of life. We need to do this early; they need to respond sooner. The data that they gather, the Remuneration Review Body, needs to be properly scientific. It needs not to be listening to those people who shout the loudest, so I would hope to steer in that direction.

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

This is just a small part of the job of the P.P.C., but when I have been going around at elections, going around the various polling stations, there was one in particular where they had those squishy polling boxes to put the votes into. There was a small child there, who was standing at the side just running the zip up and down. Can we have proper polling boxes, please?

#### **Deputy R. Labey:**

Was the small child from Reform Jersey, do you know? **[Laughter]** Yes, for sure, we will take a look at that.

#### **1.1.6 Deputy J.H. Young of St. Brelade:**

Does the candidate agree that all the huge number of issues that the public raised during the elections, the contrast between Senatorials and Deputies, all those issues, that we seem to have a choice, that there is no enthusiasm for the mechanics of a debate, but they do not want the next election to be the same? I think the people are saying: “Let us get a Commission.”

[10:00]

The answer that the candidate gave is that we can do it ourselves. Would the candidate support the new P.P.C. coming forward with an in committee debate when we see the external adviser’s report so we can flush out the issues and then make the decision about whether we are capable of doing it ourselves, as a new Assembly, or not? Would the candidate support such an approach?

#### **Deputy R. Labey:**

Yes, of course. Let us take a look at that. I have to say that the previous P.P.C. did some extremely good work in the last Parliament with Members attending a series of meetings at which we were given remote control devices and we pushed the buttons for various options that we were presented with. This ran over the course of months, if Members remember, and I thought that P.P.C. was beginning to get somewhere with this data. It was very interesting and sometimes it was encouraging how brave the consensus was being about some changes. I think it is a terrible shame that never resulted in anything, they could not reach an agreement on P.P.C., as I understand, and then former Deputy Andrew Lewis brought his proposition anyway. There was a lot of time, hours and money spent and care and attention to that process and we could pick it up again, but it almost feels to me

like that has been superseded with what we have just seen on 16th May this year. I really do think it is very, very serious and people need to grasp the severity of it.

**1.1.7 Senator K.L. Moore:**

I would like to ask the candidate how he proposes to consult with the public on the issue of electoral reform to find consensus and drive some change forward.

**Deputy R. Labey:**

As with all things this House does, whether it is building a hospital or building an international finance centre or electoral reform, we should take the public with us. It is about treating them like grown-ups, presenting them with the truth, the whole truth, nothing but the truth, reaching out, going out to them in their communities, talking to them, debating with them, persuading. This job is all about persuasion, in this Chamber and outside of it, honest persuasion. What we had last time of course was scrutiny doing the work, to go out there and talk to the people. By that time, plans were drawn up and it is like a *fait accompli*: “Do you agree or do you not?” I think we need to get in earlier and present options and talk to people, go to the Parish halls or wherever and talk to people about the implications for staying the same, the implications for adapting and the benefits.

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

I attended one Senatorial hustings and found it completely dull, unenlightening and giving very little information whatsoever. If we are to maintain a Senatorial position, will the candidate give full attention to devising a formula which shows the potential Senators off to greater ability, possibly using his contacts with the media perhaps? [Approbation]

**Deputy R. Labey:**

Yes, the Deputy is absolutely right. I do not think he was having a go at the individual candidates, he was having a go at the process. I went to the first hustings at the R.J.A. and H.S. (Royal Jersey Agricultural and Horticultural Society) and I did find it dull as well. It was this endless line, a 3-minute opening speech, then 2 minutes on one question, so the candidates spoke in general on a hustings for 7 minutes. That cannot be right. How can you drill down into what candidates are thinking in 7 minutes? It is a conundrum, it is difficult, but we have to look at new options.

**1.1.9 Senator S.Y. Mézec:**

One of the observations made in the preliminary report from the election observers was that some of Jersey’s election laws and the financing of election laws do not take into account the existence of political parties. I know obviously this is not an issue that will be pressing for most Members of this Assembly, but it is legitimate that any party operating should be based on decent legislation to make sure it is fair and democratic. Would the chair of P.P.C. be prepared to look at this to make sure the law does take into account that we can file our expenses properly, like other candidates?

**Deputy R. Labey:**

Yes, of course.

**1.1.10 Deputy M. Tadier:**

The candidate talked about acceptability in electoral reform, but does he agree that you need principles of fairness which are non-negotiable and that is the starting point? Does he agree as a principle that there should be one type of States Member elected in equal constituencies?

**Deputy R. Labey:**

As I say, I am going into this with an open mind, everything is up for debate.

**The Bailiff:**

The 20-minute period, as Members will have heard, is now up and Deputy Labey is appointed as chairman of the P.P.C. [**Approbation**] The next appointment is that of the chairman of the Public Accounts Committee. Again, Ministers and Assistant Ministers are not eligible for appointment and I invite nominations.

## **2. Chairman, Public Accounts Committee**

### **Deputy R.J. Renouf of St. Ouen:**

May I nominate Senator Sarah Ferguson for that role? I have worked with Senator Ferguson on Scrutiny Panels and I believe she would be a very fitting candidate and do that job excellently.

### **The Bailiff:**

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

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

In fact, yesterday, in order to remind myself of the parameters of the Public Accounts Committee, I did in fact go through the legislation to remind myself exactly what it was I was letting myself in for. I do not know how much the new Members of the Assembly learnt during the induction period about the Public Accounts Committee. It is quite an exciting committee. It does not sound it, it sounds dry as dust and adding up numbers and things, but it is not like that at all. It is looking at the way the States spends its money, which is always an interesting thing. Yes, we look at the results of the audit of the annual statements, we look at the results of any other audit by the Auditor General and we look at the annual accounts of the Social Security Fund, the Social Security Reserve Fund and the Health Insurance Fund. The Health Insurance Fund is quite interesting. It is meant to support the things like the doctors' subsidy, when you go to see the doctor and so on. There have been problems in the past where - and I have no doubt the Deputy of St. Ouen will be listening hard - the Health Insurance Fund has sometimes been looked at by the Health Department as a means of just boosting its budget, so we need to watch that one as well. We receive reports from the Comptroller and Auditor General on the results of investigations into the economy, efficiency and effectiveness achieved in the use of the resources by just about every States organisation, except for those which are companies owned by and controlled by the States. I think that is something we are going to have to look at. We assess whether public funds have been applied for the purpose intended by the States. It is no good just saying: "Yes, we are going to spend money on this" and then you find you have a bit of money left over in the budget so you go and spend it on something else. Sorry, that is not on. Whether extravagance and waste are being eradicated and the adequacy of the corporate governance arrangements, how decisions are being made. The Public Accounts Committee can also examine issues other than those arising from the report of the Auditor General from time to time. It is a specialised area of scrutiny. Scrutiny is examining policy, whereas the Public Accounts Committee, as I say, examines the use of States resources in the furtherance of those policies. Initial inquiries are made of chief officers, not of Ministers, but if necessary, inquiries can be made of Ministers should the reports and recommendations of the Public Accounts Committee be ignored. I do not think there has been an occasion where that has happened yet, but you never know. The work of the P.A.C. (Public Accounts Committee) is ongoing. For instance, there is another review of financial management at the moment. One of the very first reports the P.A.C. did was on financial management. It is being improved and the recent steps taken by the Chief Executive are also aimed to improve financial management, but it is something we have to keep looking at, because if you do not, people forget and it slips. The committee will return to these topics, as I have said, and if a follow-up is unsatisfactory, then the committee may decide to hold further public hearings in order to identify the reasons for the lack of progress with regards to their recommendations in reports. For a P.A.C. to achieve maximum effectiveness, it must have access to the best brains in the community.

When P.A.C. was set up, it was designed to include lay members of the business community so that we could have access to people at the top of their game, with experience in business, because not every States Member, not every political representative on the P.A.C. has that experience. In actual fact, there are 3 P.A.C.s in the world which have lay members on them: Guernsey, Kiribati - which I think used to be the Gilbert and Ellice Islands - and Jersey. As I say, Scrutiny chairmen question policy and P.A.C. the use of resources. The line is perhaps a grey area, rather than a clearly-defined one. There are times when scrutiny reports indicate areas where the P.A.C. should look at things and P.A.C. reports can indicate areas where scrutiny will need to come in and look at things also. The programme for the rest of this year is very interesting. There is the States Employment Board. During the hustings and so on, I said that I thought we ought to have a review of the role and responsibilities of the S.E.B. (States Employment Board). In actual fact, the P.A.C. review is a slightly different angle obviously, because it is the use of resources, but it is still going to be very interesting, I think. There is the States as the shareholder, and again, this is an area very close to my heart, because we had a presentation on the accounts for the Ports of Jersey this week.

[10:15]

This is the first time where the wholly-owned subsidiary companies of the States came clean with their accounts, so that will be good. We are also looking at the governance arrangements of health and social care. There will be a follow-up on the governance of the States of Jersey Police. The final one that is being looked at is management of land and property. In view of the Le Braye dunes sale or proposed tender at the moment and the St. Catherine's Wood fields, this is an area which is very much live and needs to be looked at. That is the programme for 2018. The programme is led by the Auditor General, but it is discussed with the chairman of the P.A.C. and the committee to identify projects which conform with the criteria. Some of the topics will recur, like financial management, which has been, as I say, a bone of contention ever since the P.A.C. started. It is an area where I am extremely interested because my background is in finance and analysis and I really cannot wait to get cracking on it.

**The Bailiff:**

There are 20 minutes for questions to the Senator. No, no questions, very well. Senator, universal approval and you are [**Approbation**] appointed as Chairman of the Public Accounts Committee.

**Senator S.C. Ferguson:**

Thank you very much, Sir, and thank you very much to my colleagues for their confidence in me.

### **3. Chairman, Corporate Services Scrutiny Panel**

**The Bailiff:**

We now come to the 5 Scrutiny Panels and I can remind Members that the Ministers for each panel are not able to vote for the relevant panels. In relation, therefore, to Corporate Services, which is the first one we are taking, the Chief Minister, Senator Gorst and Deputy Pinel are not able to vote on the appointment of the panel chairman. Are there any nominations?

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

I am very pleased to propose Senator Moore as Chairman of the Corporate Services Scrutiny Panel. She is, in my opinion, the ideal candidate for this role. She has proven experience working within both the Scrutiny and the Executive functions. For the benefit of new Members, the Senator was complimented often in the previous Assembly when, as Minister for Home Affairs, she championed early engagement on policy through open and transparent dialogue with the Education and Home Affairs Scrutiny Panel. She has previously chaired Scrutiny Panels and produced reports that have

had far-reaching impacts. She is a Member who knows how and believes in the benefits that scrutiny brings to all Islanders. Of course, although all scrutiny of Government is vital, it is essential that scrutiny of the role of Chief Minister, External Relations and Treasury is undertaken at the highest level of competency and professionalism. Deputy Moore will deliver that competency and professionalism ...

**The Bailiff:**

Who is that?

**The Connétable of St. Lawrence:**

Senator Moore. **[Laughter]** In fact I do have written down Deputy Moore, so I am going to have to remember for future reference that elevation. I will repeat that correctly. Senator Moore will deliver that competency and professionalism and it is a pleasure to say that again. I commend her as Chairman of the Corporate Services Scrutiny Panel. **[Approbation]**

**The Bailiff:**

Is the proposition seconded? **[Seconded]** Are there any other nominations? No, then ...

**Deputy J.H. Young:**

Sir, not from my own seat, would I be allowed to nominate Deputy Mike Higgins, please?

**The Bailiff:**

You should be in your own seat but we will take the nomination, so you could correct that quite easily. Is that seconded? **[Seconded]** Very well, are there any other nominations? Then, Deputy Higgins, you are nominated second, would you please withdraw? We will hear from Senator Moore for 10 minutes and then there will be 20 minutes of questions and then we will do the same process with Deputy Higgins.

**3.1 Senator K.L. Moore:**

I would like to start by wishing the new Council of Ministers well in their time of office. I would also like to express my gratitude to every member of the Community and Constitutional Affairs Department. People may still have difficulty in remembering their name or understanding what it does. Of course, it is all about to change, so I will not begin by explaining to the Assembly once again exactly what they do do. However, I do want to recall before the Assembly that it is a team of people who are talented, professional but, above, all, committed to serving the public. They regularly go above and beyond the call of duty and it has been a privilege to have been served by them as the Minister for Home Affairs for the past 3½ years. I congratulate the new Minister on his new role. He has held most of the positions in this Assembly and most of the positions available to States Members in the 35 years of service that he has given to the Assembly. I am pleased to see him add Minister to one of those long lists of achievements. As the Minister pointed out yesterday, our safe community is the thing that people value most about Island life and that is something to protect. I have been very proud of the service that is offered to our community and the can-do attitude that pervades from the police and prison officers, to the firefighters, from civil servants to the field squadron, not forgetting the many cadet forces that are run by volunteers and have such a positive impact on the lives of young people and, of course, the customs and immigration team. Working alongside me my proposer, the Connétable of St. Lawrence, has been a rock. It would not be possible to find a more sound and capable Assistant Minister, so bad luck to all of you Ministers. **[Approbation]** As Members would have gauged by the carefully targeted questions yesterday, the Constable is passionate about the services and has challenged, fought their corner and, when facing budget cuts, made some tough decisions, while keeping a cool head. I would like to thank her for her great efforts. Holding a considerable mandate and I thank everyone who voted for me, taking the

decision to focus on scrutiny is a genuine attempt for me to take a productive approach to delivering on my commitment to enhance our community, strengthen our economy and protect our environment. I believe that scrutiny done well can be both productive, influential and encourage change. In my first term of office I served as the Chairman of the Health, Social Security and Housing Scrutiny Panel; looking at housing reform and health transformation, as well as the hospital project. I remind Members that that was 5 years ago that we did that initial piece of work. We also looked at respite for families with children with complex needs and the Children and Adolescent Mental Health Service. We developed a constructive approach and helped to shape some of those important pieces of change. It was the H.S.S.H. (Health, Social Security and Housing) Panel, as it was known, that prompted the move to 90 per cent market rent for all social housing tenants to be restricted and to those who remain in their ... I do apologise, we are the people who instigated the restriction of the 90 per cent market rent, preventing it from being imposed on all social housing tenants, so those who remain in a property are shielded from that. Today less than 30 per cent of tenants do pay that 90 per cent of market rent. As a Minister, after a slightly rocky start, we developed a good working relationship with the previous panel. I genuinely believe that their influence was a force for good and I thank them for their hard work. This was particularly obvious when we took on 2 major pieces of legislation; we took them through the Assembly in one sitting. The experience led me to reflect that the role of scrutiny can be strengthened and a better way should be found to ensure that our legislative process is improved. The public appear consultation-weary, yet on major issues both the department and the Scrutiny Panel ask the community for their views. In the simplest form, this is an example of duplication and I think we can avoid that in the future, while encouraging a greater engagement from stakeholders and the public in general. Also, the role of scrutiny can become a source of friction with regards to timing and potential delay that it can bring to the progress of legislation. I will work with the States Greffe, P.P.C. and the Council of Ministers to promote a different approach to the tabling of legislation and the progress of it through the Assembly. There needs to be a safeguard against those who use scrutiny and this process to mischievously sometimes cause delay and that has happened; however, when scrutiny has a contribution to make and there should be room and time for those ideas and their evidence to have a positive impact. Corporate Services has a big remit, holding the Chief Minister, Treasury and Minister for External Relations to account and I will develop a team who will be diligent and objective in their work. They will challenge effectively, listen to the public and make helpful contributions. The Chief Minister has already made it clear that he hopes scrutiny will play an important role in this Assembly. I will suggest that, while the new Council of Ministers settles down to consider its strategic plan, the panel should get to work on a community-based review. I have some ideas that I will put to the panel but, of course, it will be a matter of discussion among them once they are constituted. I look forward to hearing the ideas of the Members who, I hope, will join me for some interesting and effective work, if I am selected for the next 4 years. There is, of course, then the migration policy to consider, which is tabled for debate in September. We will consult widely, seeking the views of all members of society to contribute to this very important piece of work that was a key issue at election time. I look forward to taking evidence and bringing forward reports for consideration. **[Approbation]**

**The Bailiff:**

We now invite questions for Senator Moore. No questions, then ... Senator Vallois.

**3.1.1 Senator T.A. Vallois:**

Can I ask the Senator what her view is on how the Scrutiny Panels are structured and how she sees the organisation between Scrutiny and the Council of Ministers in terms of what she was speaking about with regards to legislative scrutiny?

**Senator K.L. Moore:**

Thank you for the question. The Chief Minister has talked about policy development boards and, of course, that will be a matter for discussion once the Chief Minister has formulated exactly what he means. However, I imagine that the Chairmen's Committee will be consulted and will have some consideration to that. Although, if we use the example of the Criminal Procedures Law and the Sexual Offences legislation that was recently taken through the Assembly and the process that happened there, I do see a place for some combined consultation between Scrutiny Panels and the Executive that can be conducted in public in one sitting, rather than in 2 bites of the cherry, so that all people's views can be heard and receive some public scrutiny as part of the process, to contribute to both the Executive's thinking and the Scrutiny Panel's. I imagine that that is what the Chief Minister is talking about when he talks about policy development boards. I would certainly want to contribute to those and encourage all members of the Chairmen's Committee to do so with their panels.

**The Bailiff:**

Are there any other questions for Senator Moore? Senator Ferguson.

**3.1.2 Senator S.C. Ferguson:**

There have been problems with the Council of Ministers in the past where information has taken too long to come through or where insufficient time has been left to do scrutiny reports. What views has the candidate on this and how will she deal with it?

[10:30]

**Senator K.L. Moore:**

Having had that experience of being on the side of the Executive, I do have an understanding of the fact that a lot of information is readily pushed out as quickly as it can be. However, also there are sometimes issues that prevent that from happening and so we will work with and maintain a level of dialogue and discussion with the Executive people so that we understand what is coming and what the progress is. I refer back to my suggestions that consultation could perhaps be done simultaneously because that is one of the blockages that takes time and prevents the flow of work. Because there is a time period when one consultation process is conducted and then there is another one that follows swiftly after. I think if we can combine that and avoid that duplication then we can achieve a more efficient running of the system. I also failed to answer one aspect of Senator Vallois' question, which was about the structuring of the Scrutiny Panels and whether that worked in relation to the Government Departments. Of course, that is an area that will undergo some level of change in the next 6 months, I would hope. If elected by the Members of the Assembly today I will certainly be pushing and ensuring that the deadlines and timetable for that change is followed. However, there will also be a job of work for the Chairmen's Committee to respond to the changing departmental structure of the States of Jersey going forward and to ensure that the work of the panels is constructive and fits with the new structure as it develops.

**3.1.3 Deputy J.H. Young:**

The way our Government is structured at the moment, Ministers and Scrutiny, they are required to keep separate; never the twain shall meet, as it were. When I was a chair of a panel one of those successful periods, I believe, was when there was interaction on a draft policy in the formulation between the Minister and the Scrutiny Panel. Can the chairman give us her views on that scope for that interaction in policy development work?

**Senator K.L. Moore:**

This Chamber, by design, is a chamber of consensus and I have always taken the view that scrutiny is a critical friend; that is the role. There is plenty of room for constructive challenge and through

challenging effectively and constructively we can all reach a much better decision. That, I think, is the process that is hoped for through these policy development boards; if we can achieve those I think that will be a great thing. I think there are many talented Members of this Assembly; they all wish to contribute in a positive and productive way. I think that by ensuring that there is a good scrutiny process and effective members of those panels, then we can certainly achieve that.

#### **3.1.4 Deputy D. Johnson of St. Mary:**

At the time of the incorporation of Ports of Jersey the initial draft M.o.U. (Memorandum of Understanding) produced to the panel was regarded by that panel as being not fit for purpose. I think the Minister for Treasury and Resources accepted that and also accepted that there was room for improvement on all previous M.o.U.s. In your capacity as looking over the shoulder of the shareholder function of the Minister for Treasury and Resources, will you please review the M.O.U.s made with all States bodies?

#### **Senator K.L. Moore:**

I will certainly suggest that to the panel as a piece of work to do. I think that raises an interesting point also, in that sometimes scrutiny does its work and then moves on to the next piece of work and the next. Sometimes it is helpful to reflect back on the findings of previous reports, to reflect on what has been achieved and whether those findings have been listened to. I will endeavour to ensure that that work is also done.

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

Does the Senator consider that scrutiny needs any further resources to help it do its work, for example, in research facilities and, if so, what does the Senator wish to do about it?

#### **Senator K.L. Moore:**

I have been aware over recent years that the budget that is attributed to scrutiny is not always spent in its entirety and that has somewhat puzzled me. Certainly from the Executive sometimes it is suggested to people that a scrutiny review would be a preferable option because scrutiny had the budget to do that research and to hire people of professional experience who could contribute to looking at certain issues. I am not necessarily sure that it is an issue of budget. However, I do certainly promote the idea of, and I am quite sure that the Greffe are already looking at this, the general facilities for States Members; especially for Back-Benchers, there is very little availability in terms of resources for Members. I think that really hampers our efforts in our roles and providing the service to the public that we all wish to do. I will certainly champion the needs for Members.

#### **3.1.6 Senator S.Y. Mézec:**

The outgoing Care of Children in Jersey Review Panel has written a legacy report that states that it would recommend to the next Chairmen's Committee that they reconstitute the Care of Children Review Panel and have it continue its work in the years to come, focusing on all of the recommendations that will be coming out of the Independent Jersey Care Inquiry. As somebody who, if she is elected chair of this panel, would automatically be on the Chairmen's Committee, would she support that recommendation from the panel that it is reconstituted very soon?

#### **Senator K.L. Moore:**

Thank you for the question and I would certainly propose that to the Chairmen's Committee. I think it is absolutely vital that we continue to follow the findings of the Care Inquiry and ensure that they are delivered to the public. Indeed, one of my ideas for an initial report would be looking at cultural thinking and challenges in our society because I do think that that is one of the key points that the Care Inquiry makes. It is something that we all need to do more in terms of ensuring that people have a voice and are listened to, of course particularly children. We see how effective the Children's



Commissioner is being in her work, although only recently begun. It has been extremely effective in getting the messages across and the learnings that the Commissioner has already achieved. I think we need to ensure that that style of learning and that encouragement to the community pervades throughout everything we do.

**Deputy M. Tadier:**

My question has been answered.

**The Bailiff:**

Are there any other questions for Senator Moore? Very well, then we will bring that part of question time to an end, ask Senator Moore to withdraw and ask Deputy Higgins to return, please.

**Senator T.A. Vallois:**

Sir, while we are waiting, could I seek some clarification from you? In terms of the voting for the Corporate Services Chairman, you stated the Chief Minister, Senator Gorst and Deputy Pinel. As the Chief Minister has asked me to serve as Deputy Chief Minister, will that include myself or not?

**The Bailiff:**

I do not think so. Let me just have a look at Standing Orders, the requirement was in Standing Orders and, therefore, it is strictly limited to that. Greffier, please. Senator, it is provided for under Standing Order 120 at paragraph 6(a): "A Minister shall not be entitled to vote for a candidate if the Minister is precluded from nominating that candidate to that office." Therefore, it is the Chief Minister, the Minister for External Relations and the Minister for Treasury and Resources only who are excluded from voting. Deputy Higgins.

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

I have been advised by a number of people before I came and stood for this position that I should not because the previous candidate is a shoo-in. However, I believe in challenging every post and putting forward my case for this particular role. The Corporate Services Scrutiny Panel is the panel with the widest remit in the States. It is responsible for the work of 3 departments; the Chief Minister's Department, which, as we know over the years, has grown in size, it has become very, very large; is also responsible for the Treasury and Resources Department; and the External Relations Department. It has also taken over much of the work of the Economic Development Department and, for example, financial services have been transferred to the Chief Minister's office, as has digital services, although the new Chief Minister may change the remit of the department and farm out some of these activities. I am putting myself forward for the position because I believe I have the qualifications and experience to properly scrutinise many of its activities. For the benefit of new Members and some of the older ones I will give you a brief C.V. (curriculum vitae). I was educated in England and Canada and hold, among my academic and professional qualifications, a Higher National Certificate in Business Studies and B.Sc. (Bachelor of Science) Economics degree from the University of London. I have also worked in the aviation and construction industries. In the former I was a buyer with Hawker Siddeley Aviation purchasing components for aircraft that we were building in the factories around the country. In the latter I worked for Sir Alfred McAlpine at their head office where I was a buyer purchasing all goods and services for the building contracts that we had, such as office blocks, hospitals, sports stadiums and oil pipelines, the latter being in Sudan. As part of this job I was responsible for negotiating all sub-contracts and also for purchasing aircraft for the contracts that we had overseas. I have also worked in the fields of education and financial regulation. I was a lecturer in Economics, Law and Banking at Highlands College for 18 years and taught many of the Island's financial service workers, including one in this Assembly. I also worked for the Financial Services Commission for 12 years in the legal and policy fields. I was responsible

at the Commission for, among other things, the Financial Services Ombudsman Scheme and the Depositor Compensation Scheme and I worked very closely with the Law Draftsman's Department on those. I was also part of the negotiations with Her Majesty's Treasury to ensure that the Island's Recognised Funds Law was acceptable to the U.K. Government and thus capable of being marketed throughout Europe. I was also engaged in negotiations and collaborative work with the other Crown Dependencies. I was also a commissioned officer in the Royal Air Force Volunteer Reserve training branch for 12 years and Chairman of the Royal Airforce Association for 10 years, so that is a brief background. One of the reasons why I am putting my name forward for this is we have quite a number of major issues that the Council of Ministers are going to be tackling. I believe I have knowledge and capabilities in those areas as well. For example, Brexit, we all know it is a big unknown and it could work well for the Island or it could work very poorly for the Island. The work that we are doing needs to be not only negotiated well by the Minister for External Affairs but also needs to be scrutinised properly. We are also going to see major changes in the economy. I mentioned this, I think, yesterday in my questions to, I think it was, Senator Vallois. The changes we are going to see are changes in the jobs market with the introduction of artificial intelligence, machine-learning and robotics, which are expected to replace 45 per cent of all jobs as we know them at the present time in the next 5, 10 or 20 years. This is something that has to be grasped now. The reason I say that is it is already happening in Jersey. A number of these financial firms are adopting new procedures, using technology and they are replacing jobs. A number of us went to a presentation the other day and one of the consequences of what they are doing will be the loss of jobs. It is not the only financial institution that I know of that is adopting this new technology as it reduces their costs and makes it more efficient. When we talk about productivity we are going to be going from very, very low productivity, so suddenly very, very high productivity because the machines can do things much quicker and faster than we do. What we have to do - and this is one of the things that I want the Council of Ministers to do - is to start preparing for this now; you cannot leave it any longer, we need to start making preparations.

[10:45]

It is going to have an impact in other ways as well, not only on jobs but it is going to affect the revenue and expenditure of the States. At the present time, if we look at where our taxes come from, by and large because of Zero/Ten, most of the revenue is being raised from the personal sector, individuals. If we have large proportions of people - and it will increase the number of people out of work in the future - then we are going to be getting less revenue. In addition to that, we are going to have to support more people who are out of work or looking for work. I say it is a major concern. It is also moving not only into the normal sort of repetitive type jobs, for example, if you go to the airport you do not really see anybody anymore, you scan your ticket, you put your bags on the rack without contact with a human being. It is coming in in those occupations but it is also coming into the accountancy and legal professions. In accountancy you can get programs such as Xero; I am not trying to plug a particular program. However, if I was away on business and I have a bill for, say, paying in a restaurant or something else, I take a photograph of the receipt on my phone and send it off to the accountant and it is put into the appropriate box. How many account preparers are going to be out of a job because it is all going to be done electronically? In the legal field you will not need as many paralegals. There are so many databases now where the lawyers can go to, put in key words, various aspects of the case and a whole series of cases will come up and may ask you questions and it will interrogate you down to try and find the appropriate precedents or whatever or the legal arguments that you can use. We are going to see major changes in that field. I also happen to believe that we need to be scrutinising what the new Minister for Treasury and Resources is going to do. The reason I say that is I did ask some questions yesterday and, I must admit, I was surprised by some of the answers because it showed a lack, I should say, of knowledge of economics and also what would be good practice. I hope she will listen very carefully to the Fiscal Policy Panel. The last

Administration did and did move from some of the long-held policies, which, in this day and age, were out of date. I do not think I am going to say much more. I believe I have had many, many years of experience in a number of different fields. As far as Brexit and other things have been concerned, I have followed the debate right from the very beginning and I read every day what is going on. I believe it is going to have a major impact, not only on the United Kingdom but on us. I would like to be monitoring what we are doing in that and putting forward suggestions and perhaps criticising it if it is necessary, although scrutiny is a critical friend. The only other thing I would say with that, I would hope that the previous candidate would not take the lack of inclusion in the Council of Ministers as something to try and be opposition to the Council of Ministers. We have all got to work together for the future and for the best of the Island. I will leave it now to questions.

**The Bailiff:**

Thank you. Very well, the first is Senator Mézec.

**3.2.1 Senator S.Y. Mézec:**

It is that same question I asked the previous candidate, the outgoing Care of Children in Jersey Review Panel, which - of course, this candidate was a member of - said in its legacy report that we wanted that panel to be reconstituted by the Chairmen's Committee so that they can carry on its work in assessing the implementation of the recommendations from the Independent Care Inquiry. Would the candidate, if he is selected as chair of this panel, on the Chairmen's Committee make that something he would stipulate should happen, that that panel should be reconstituted as early as possible so they can carry on that work?

**Deputy M.R. Higgins:**

I thank the Senator for the question. I was a member of the panel and I believe passionately that the Island has to make up for its neglect and failure of the children that we have had in the Island in the past decades. I believe that we have to implement all those things. Yes, I would be arguing for that particular panel again.

**3.2.2 Deputy M. Tadier:**

The candidate gave a very comprehensive C.V. and I do not need it all to be repeated but could he clarify what importance he would put on professional experience, which has been gained outside of this Assembly, in the role of a Scrutiny Chair?

**Deputy M.R. Higgins:**

In fact it is not only Scrutiny Chairs need to have, I think, a wide experience. To be honest, many Members have got wide experience in many different fields. We can use that experience; it may not be directly applicable but the way that we have gone through processes and dealt with things can give us a better way of looking at, let us say, how Government does. I have had a very wide-ranging career. I have enjoyed it all. I was not pursuing them for money. I have always done it because of job satisfaction. I have really got engaged in what I have been doing and I would do exactly the same if I was elected chair of this panel.

**3.2.3 Deputy G.P. Southern:**

Would the candidate like to tell us of his experience on the Economic Affairs Scrutiny Panel and seeing things through to completion there and what he has learnt from his experience on scrutiny?

**Deputy M.R. Higgins:**

Yes, I was Chairman of the Economic Affairs Scrutiny Panel in my first term and I have also been on other committees, which I did not mention before, including P.P.C. On Economic Affairs, in fact Deputy Southern was one of the members of the panel, one of the first tasks we took was the

Depositor Compensation Scheme. As I say, I wrote the scheme, worked with the Law Officers to get into legalese and it was ready to go the States, as was the Financial Services Ombudsman Scheme. I believe it was Senator Le Sueur who sat on it but it was sat on by the Council of Ministers at the time and it was one of the major reasons I stood for the States, because I felt both those policies were absolutely vital for the Island and they had not been brought in and I wanted to see them being brought in. However, when it did come to the States the scheme had been butchered slightly. I say butchered in the sense that most Depositor Compensation Schemes are funded by the banks but they do not have to put the money upfront. Most schemes are if a bank fails all the banks are levied in proportion to the level of deposits to try and cover paying back money to depositors. What was done with the Jersey scheme I believe it was wrong and I believe it is even more so at the present time. This would be one area I would be looking at is the banks are not the first port of call. Our Strategic Reserve is the first port of call if a bank fails. We could say no bank is going to fail, obviously said that with Bear Stearns and all the others that went down, Royal Bank of Scotland, but banks can go down. At the present time the money would be paid out of the Strategic Reserve and if there are any assets left back at the bank ... some of the money that has come from other banks in terms of support, then we are the ones who are going to suffer the loss. What has happened in the United Kingdom they have ring-fenced all the retail banks. If you go to Lloyds or Barclays or the others and the bank fails, the money will be coming from that scheme and they make sure that your money is not invested in what is called the casino banks, in other words those engaged in investments or buying and selling on their own account. I have just learnt Jersey banks are not covered by the ring-fencing and we are with the international banks. If we have another failure of an international bank, then we are more likely to be calling upon our Strategic Reserve to bail out the depositors, so I do have concerns for that.

#### **3.2.4 Senator I.J. Gorst:**

I would like to ask a question, rather than correct the misinformation that the Deputy has been giving to the Assembly. He knows that the issue he has just raised is an issue of cash flow but perhaps that is a conversation that we can have outside of this Assembly. He is absolutely right to say our banks are not within the ring-fence and that is why now they are operating successfully, that is why they are moving capital. The question is ...

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

I do not like to interrupt, Sir, just a point of order, Sir. Just a point of order.

#### **The Bailiff:**

A point of order has been raised, Senator.

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

I do not like to interrupt the Minister for External Relations. He presumably cannot vote in this round and it seems an abuse of process that he is able to ask a question when part of the purpose for the questions is to enable the Member to decide how a Member votes. Standing Orders may be silent on the issue but it seems that the spirit of it is that any of the individuals who cannot vote should not be able to take up valuable question time when other Members might have questions to ask.

#### **The Bailiff:**

Standing Orders provide that the Minister for External Relations in this case cannot nominate or vote for a candidate. They are, as you say, silent about the question of whether he can ask questions. The relationship between the Scrutiny Chairman and the Minister in question may be an important relationship. The questions that are being asked and the way the question is answered may inform Members as to their view as to whether that candidate is the right person to appoint as Scrutiny Chairman. I see no reason why the chairman should not be asked questions by the Minister.

**Senator I.J. Gorst:**

The question was, does the candidate accept that financial services does not currently fall under the remit of the Corporate Services Scrutiny Panel but the Economic Affairs Scrutiny Panel?

**Deputy M.R. Higgins:**

I must say I am surprised that that is the case because I think in the last Parliament it was under the Chief Minister's Department; yes, yours. I believe Corporate Services dealt with that, rather than the Economic Affairs Panel. However, the point is that I believe, again, that I have a wide background and a wide experience and I believe that I could deal with whatever the department is doing.

**3.2.5 Senator S.Y. Mézec:**

Scrutiny obviously has to be on stand-by to be particularly critical of Government actions if there are serious mistakes being made, but scrutiny can also do some of its best work when it is proactive; speaking to the departments in the early stages of them producing legislation to make a constructive contribution right from the outset, rather than re-examine the problems after they have occurred. Would the candidate agree that, as Chair of Corporate Services, he would be seeking to be proactive and constantly in discussions with the department to identify any issues early on so that they can be fixed? Does he believe that being proactive in that sense would be helpful?

**Deputy M.R. Higgins:**

Yes, I agree with the Senator completely. I have been in the States now 9½, almost 10 years and, unfortunately, we have not had that constructive dialogue in many cases with ... let us say, it is the exception, rather than the rule. I am sure the Chief Minister knows of his own experiences on Corporate Services in fighting to get information on the International Finance Centre where, ultimately, they had to summons our own fully-owned company to get information about what was going on. Yes, I do believe in a very close dialogue and I am sure we would have better Government for it. I am looking forward to a more open and transparent and co-operative Council of Ministers.

**3.2.6 Deputy J.H. Young:**

The candidate, I think, has a reputation for fierce independence, could he give his views on how scrutiny ideally should operate and, in particular, does he see that there is a strong case for the Scrutiny Panels and the ministerial teams working in a constructive dialogue on policy development or does he see it in kind of scrutiny purest terms of strict separation?

**Deputy M.R. Higgins:**

I think the strict separation has perhaps failed us in the past and I do believe in co-operation. Yes, I am a principled politician and I will stand up for what is right. I do not care who I am opposing if they are wrong and I would do it. However, being a chairman of a panel does not mean you tell the panel what to do and I would have among the Corporate Services Scrutiny Panel other people with other views and it would be a collective teamwork decision as to what we say and what we take on.

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

The same question that I asked the previous candidate, does the candidate believe that scrutiny needs further resources, for example, further research capability and, if so, what will the candidate do about seeking that?

**Deputy M.R. Higgins:**

One of the deficiencies of our system has been that all the power lied with the Council of Ministers. They have all the civil servants and I would not say unlimited resources but basically they can call upon what they need. States Members, each one of us, has very little. We write our own speeches, we do our own research and basically we are a one-man band. Scrutiny has the advantage of being

able to employ some specialists, that is good, but it needs to be improved. I would argue not only do the resources of scrutiny need to be reviewed and enhanced but so do the resources for individual Members. It is time we came into the 21st century.

**The Bailiff:**

Deputy Tadier. I am sorry, it was not you, it was Deputy Southern. I am so sorry. I do recognise you are different.

**3.2.8 Deputy G.P. Southern:**

In relation to the Minister for External Relations making a point about Economic Affairs, does the candidate recognise that there is a tremendous overlap between those areas, between topics, that may be agreed to be studied by External Affairs or may be agreed to be studied by Corporate Affairs, and as long as heads are talking to each other they can arrive at the right balance between where their responsibilities lie?

**Deputy M.R. Higgins:**

Yes, I do. There needs to be far more discussion across panels and across the Council of Ministers. We are going into uncharted territory.

[11:00]

I have mentioned artificial intelligence and the change there; the fourth industrial revolution they refer to it as. There can be advantages, there may be new jobs created but there is going to be a lot left. It is not going to be one department that is going to be able to deal with that. The new Minister for Education is going to have to consider reviewing the whole of the curriculum, what we are teaching children today and whether it is going to be any use to them in 20 years' time, in the same way how we teach things has got to change. We are in for a revolution in education, in business and, as I say, when it comes to employment and it will go across all departments; Social Security, the Treasury have got major problems. We do have to be working collaboratively and co-operatively with each other to try and solve some of these major problems that we have got in the next few years and I would like to be a part of that.

**The Bailiff:**

Are there any further questions for Deputy Higgins? Very well, no more questions. I would like to invite Senator Moore to return. I invite Members to return to their seats. Very well, this is a recorded vote and, as Senator Moore was proposed first, you vote P if you wish to vote for Senator Moore and you vote C if you wish to vote for Deputy Higgins. I ask the Greffier to open the voting.

<b>Senator K.L. Moore: 34</b>		<b>Deputy M.R. Higgins of St. Helier: 11</b>		<b>Abstain: 0</b>
Senator L.J. Farnham		Senator S.C. Ferguson		
Senator T.A. Vallois		Senator S.Y. Mezec		
Senator K.L. Moore		Deputy G.P. Southern (H)		
Senator S.W. Pallett		Deputy K.C. Lewis (S)		
Connétable of St. Clement		Deputy M. Tadier (B)		
Connétable of St. Lawrence		Deputy M.R. Higgins (H)		
Connétable of St. Saviour		Deputy J.M. Maçon (S)		
Connétable of St. Brelade		Deputy J.H. Young (B)		
Connétable of Grouville		Deputy of St. Peter		
Connétable of St. John		Deputy R.J. Ward (H)		
Connétable of Trinity		Deputy C.S. Alves (H)		
Connétable of St. Peter				

Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy of St. Martin				
Deputy R.J. Rondel (H)				
Deputy of St Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of Trinity				
Deputy of St John				
Deputy M.R. Le Hagarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy K.G. Pamplin (S)				

**The Bailiff:**

You vote P if you want to vote for Senator Moore and you vote C if you want to vote for Deputy Higgins. If all Members have had the opportunity of voting, then I ask the Greffier to close the voting. I can announce that Senator Moore has been elected; 34 votes in favour of her and 11 votes in favour of Deputy Higgins. **[Approbation]**

**Deputy M.R. Higgins:**

Can I congratulate Deputy Moore on her appointment.

**The Bailiff:**

Or even Senator Moore. **[Laughter]**

**Deputy M.R. Higgins:**

Even Senator Moore, yes.

**The Bailiff:**

Thank you, Greffier.

**The Deputy Greffier of the States:**

Those voting for Deputy Higgins: Senator Ferguson, Senator Mézec, Deputy Southern, Deputy Lewis, Deputy Tadier, Deputy Higgins, Deputy Maçon, Deputy Young, the Deputy of St. Peter, Deputy Ward and Deputy Alves. **[INSERT VOTE TABLE]**

**Senator K.L. Moore:**

I would like to thank all Members who did vote for me and I look forward to working very constructively with the new Council of Ministers. **[Approbation]**

#### **4. Proposal for recess to name Assistant Ministers:**

##### **4.1 Deputy S.M. Wickenden:**

I would like to propose to the Assembly a short recess before we carry on with the scrutiny process for the Chairs. I know there are a number of experienced Members of this Assembly that have requested their first point to be Assistant Ministers. They are waiting to hear whether they have been accepted or denied those positions and it is stopping them from putting themselves forward into Scrutiny and chair positions. I think that, ultimately, is going to damage scrutiny by denying experienced Members of this Assembly the ability to be on scrutiny. I would like to propose a recess and I would like to ask the Chief Minister how long it would take for him to come forward with his Assistant Ministers' approvals to the Assembly.

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

Can I just say I have just been through every Standing Order. The Deputy who has just spoken, he was in the last Council of Ministers and there was a proposition brought by me that Assistant Ministers should be elected or named before scrutiny. It never happened and now they want to change the rules. I am sorry, they are not in Standing Orders but it is up to the Assembly to counter that proposal because they wanted Assistant Ministers up the front, people need to be having discussions about this. It has never been done before and I wanted to change it and they did not.

##### **The Bailiff:**

There is a proposition that we go into recess for how long, Deputy Wickenden?

##### **Deputy S.M. Wickenden:**

I would ask the Chief Minister how long it would take him to ...

##### **The Bailiff:**

No, it is not question time. How long ...

##### **Deputy S.M. Wickenden:**

Okay, so I will propose an hour then. **[Members: Oh!]** Half an hour, okay, half an hour, Sir.

##### **The Bailiff:**

Is that proposition seconded? **[Seconded]** Very well, it is entirely a matter for Members. Can I say from the Chair that Standing Orders have been designed the way they are to put an emphasis on ministerial posts first and the Chairmen of Scrutiny Panels next, to give significance to those appointments. That is why Assistant Minister appointments, which are not coming to the Assembly, in any event, they are a matter for the Minister in question with the consent of the Chief Minister and that is why those come under Standing Orders at a later date. In fact they do not come under Standing Orders at all because that is the way it works. Members should be thinking carefully about the recess for the purpose advanced by the Deputy. It is entirely a matter for Members, absolutely entirely a matter for Members. Does any Member wish to speak?

##### **4.3 Senator J.A.N. Le Fondré:**

Yes, I have to endorse your words. The whole point is that, bluntly, these positions are equal to ministerial positions. They are a lot of work. They are a lot of responsibility and that is why the release of Assistant Ministers is kept until later. If there is anybody who thinks they might be in the



running, no, give this priority. Stand for a position as chairman of a Scrutiny Panel because that is a vastly critical role to this Assembly. Just in terms of practicalities, there are some discussions going on; Members would expect that. They are not complete and they are going to take longer than half an hour. I would say to Members: give priority; if they are thinking about going for a scrutiny role please do so. Therefore, I do not support the proposition.

**The Bailiff:**

We should not spend too much time, I would hope, debating this. Does any other Member wish to speak? Deputy Wickenden, do you wish to reply to the Chief Minister?

**4.4 Deputy S.M. Wickenden:**

I would just say that the Chief Minister stood saying that scrutiny was the most vital part and to have strong members in scrutiny, but at the same time people would like to be part of the process of policy making. I think that scrutiny is very important to get the right people in, of course, but there are both sides of this. It is up to Members to decide. I thought I would bring it to the Assembly.

**The Bailiff:**

Very well, all Members in favour of the proposition to ...

**Deputy J.A. Martin:**

Can we have the appel, please?

**The Bailiff:**

The appel is called for. I invite Members to return to their seats. The vote is on whether to adjourn for half an hour, and I ask the Greffier to open the voting.

<b>POUR: 4</b>	<b>CONTRE: 41</b>	<b>ABSTAIN: 2</b>
Senator K.L. Moore	Senator I.J. Gorst	Deputy L.B. Ash (C)
Senator S.W. Pallett	Senator L.J. Farnham	Deputy J.H. Perchard (S)
Deputy R. Labey (H)	Senator S.C. Ferguson	
Deputy S.M. Wickenden (H)	Senator J.A.N. Le Fondre	
	Senator T.A. Vallois	
	Senator S.Y. Mezec	
	Connétable of St. Clement	
	Connétable of St. Lawrence	
	Connétable of St. Saviour	
	Connétable of St. Brelade	
	Connétable of Grouville	
	Connétable of St. John	
	Connétable of Trinity	
	Connétable of St. Peter	
	Connétable of St. Mary	
	Connétable of St. Ouen	
	Connétable of St. Martin	
	Deputy J.A. Martin (H)	
	Deputy G.P. Southern (H)	
	Deputy of Grouville	
	Deputy K.C. Lewis (S)	
	Deputy M. Tadier (B)	
	Deputy M.R. Higgins (H)	
	Deputy J.M. Maçon (S)	

	Deputy S.J. Pinel (C)		
	Deputy R.J. Rondel (H)		
	Deputy of St Ouen		
	Deputy L.M.C. Doublet (S)		
	Deputy of St. Mary		
	Deputy G.J. Truscott (B)		
	Deputy J.H. Young (B)		
	Deputy K.F. Morel (L)		
	Deputy G.C.U. Guida (L)		
	Deputy of St. Peter		
	Deputy of Trinity		
	Deputy of St John		
	Deputy M.R. Le Hegarat (H)		
	Deputy S.M. Ahier (H)		
	Deputy R.J. Ward (H)		
	Deputy C.S. Alves (H)		
	Deputy K.G. Pamplin (S)		

If all Members have had the opportunity of voting, I ask the Greffier to close the voting. The proposition has been defeated: 4 votes in favour, 41 votes against and 2 abstentions.

**The Greffier of the States:**

Those voting pour: Senators Moore and Pallett and Deputies Labey and Wickenden. Those voting contre: Senators Gorst, Farnham, Ferguson, Le Fondré, Vallois and Mézec; the Connétables of St. Clement, St. Lawrence, St. Saviour, St. Brelade, Grouville, St. John, Trinity, St. Peter, St. Mary, St. Ouen and St. Martin; Deputies Martin, Southern, Grouville, Lewis, Tadier, Higgins, Maçon, Pinel, Rondel, St. Ouen, Doublet, St. Mary, Truscott, Young, Morel, Guida, St. Peter, Trinity, St. John, Le Hegarat, Ahier, Ward, Alves and Pamplin, and Deputies Ash and Perchard abstained. [INSERT VOTE TABLE]

**5. Chairman, Economic Affairs Scrutiny Panel**

**The Bailiff:**

We next come to the chairman of the Economic Affairs Scrutiny Panel. The Chief Minister and Senator Farnham are excluded from nomination or voting upon the candidates. Can I invite nominations? The Connétable of Grouville.

**Connétable J.E. Le Maistre of Grouville:**

I would like to propose the Deputy of St. Mary for this role. He has sat on the Economic Affairs panel for the last 3½ years and has chaired another panel. He has the experience and the ability to make an extremely good chairman and I am delighted to be able to propose him.

**The Bailiff:**

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

**Senator K.L. Moore:**

I would like to propose Deputy Morel. As a writer and commentator on issues that are business related and particularly digital, I think he holds relevant skills to direct a Scrutiny Panel with excellent knowledge in this area.

**The Bailiff:**

Is that seconded? [**Seconded**] Are there any other nominations? Very well, Deputy Morel, would you please withdraw from the Chamber? I invite the Deputy of St. Mary to address us.

### **5.1 Deputy D. Johnson of St. Mary:**

I am pleased to stand to show that I regard the chairmanship of a Scrutiny Panel as infinitely superior to a mere Assistant Minister. Perhaps by way of general background for the benefit of the new Members in particular, I am - and still am - by profession an English solicitor. Prior to my election in 2014, I practised in Jersey as such both as a partner and principal for almost 40 years. At the time of my election, the anticipated question at hustings was always going to be: what role do you see yourself taking if you do get elected? One of my colleagues gave me short shrift on that, saying: "You are a lawyer. What do you do? You scrutinise; you must, therefore, enter the scrutiny process." So, at about this time, 3½ years ago, that is exactly what I did. I threw my hat into the ring for both the Economic Affairs Scrutiny Panel and that of Environment, Health and Infrastructure. At the end of the Assembly I was vice-chairman of the former and chairman of the latter. My initiation to scrutiny was far from gentle. I think almost as soon as the Economic Affairs panel was formed the scrutiny officers were waiting outside to waylay us to ask us to give urgent attention to a matter in anticipation of the Moneyval representatives coming over to the Island the following week. We were able to deal with that in short order and that was my initiation to scrutiny, often required to do things more hurriedly than perhaps they should. The next major exercise conducted by the Economic Affairs Scrutiny Panel - and it was a major one - was incorporation of Ports of Jersey. I had in preparation for this meeting an occasion to look at the comments paper issued at the time of our report, and if I can just run through some of the headings, it shows what issues were involved and what awaits any scrutiny member. The sub-headings were: incorporation, a review, time pressure, memorandum of understanding, panels of independent advisers and their report, the case for incorporation, commercial projects, strategic business plan, staff, clubs and associations, public services obligations, regulation, to be followed by findings. All of these matters involved many private meetings with stakeholders, proposed directors of the company, clubs and associations, the public at large and public hearings to that end as well. As I say, it was a useful initiation and it was a good grounding for the work in years to come. To go back to my initial comment about my background as a lawyer being useful, I would not wish it to be taken out of context but again this particular exercise showed that the qualities of a lawyer are useful.

[11:15]

Apart from the studying of the law itself, there was a need to look at the corporate documentation. The articles of association required amendments and also the memorandum of understanding. That is not an isolated case and I have found that in other matters such as incorporation of Jersey Sport, the Liquor Licensing Law, which did not come to the Assembly eventually, those are recurring items and I find that having a lawyer on the panel is an advantage. That said, it is only a part of the overall team, and I envisage that the panel would cover or include other members with extensive experience in other directions. I would hope that as chairman I would make full use of that. By way of example, I revert to my time as chairman of the environment panel when I was pleased to have as vice-chairman the now Senator Vallois, who has experience in Treasury and on P.A.C. and I had no hesitation in - I think she will agree - giving her a head in certain meetings related to M.T.F.P. (Medium-Term Financial Plan) and related matters. I would anticipate and indeed hope that panel members having if not that expertise other experience would similarly be able to contribute and I would have no hesitation in, again, giving them their head in such matters. In the context of the previous debate as to the appointment of the chairman of Corporate Services, reference has been made to the procedure to be involved. I think we are now almost at one in saying that hurried procedures or hurried scrutiny exercises of the past hopefully are behind us. It is common ground that the earlier scrutiny can get involved the better. That benefits scrutiny; it benefits the whole process. The protocol which has recently been amended between the Executive and Scrutiny, and on which, of course, our now Chief

Minister chaired, reflects that. I would, therefore, very much hope that in the future there will be a greater degree of co-operation on the timing factor between Scrutiny and the Executive. Also in that area, the chairman's panel was blessed with a presentation by Dr. Hannah White of the Institute for Government last year on the general scrutiny process, which in many ways mirrors that in Westminster regarding Select Committees. She went to some lengths to say that at Westminster when the panel was composed of people from different parties and different disciplines there should be no holding back on using the expertise of Members to promote a particular line. What I am saying, therefore, is that, yes, the panel must be a team but within that team there can be independence, not independent reviews but independent angles taken so that the full expertise of all members should be taken into account. As I say, I have been on the 2 major panels over these last 3½ years and on a variety of other panels. I like to think that I have enjoyed with the Ministers involved and their Chief Officers a good working relationship. I know that at the time of the Ports of Jersey proposal and when it was eventually passed the Minister for Treasury and Resources was moved to say that he had never been involved in a scrutiny exercise which was so thorough. In addition, the Assistant Chief Minister with responsibility for financial affairs complimented the panel as a whole, saying that we were tough but fair. I think I have had similar comments from the officers on those panels, saying that we have had good working relationships. However, it is not to say that the good working relationship is sacrosanct. Panels have been moved to make adverse comments, and I again refer to that by the Environment panel on waste charges, where I think our negative comments caused the actual proposition to be withdrawn. Yes, I am very much in favour of a constructive dialogue with the Executive, but if it comes to it, I as chairman - and I am sure the panel members - would not shrink from being negative. As I say, I have had 3½ years' experience on panels. I believe that I have a good grounding in what is required, and I hope that I might be given the opportunity to continue in that role. However, I welcome questions from Members.

**The Bailiff:**

We come to question time: 20 minutes of questions. Are there any for the Deputy of St. Mary? Senator Vallois.

**5.1.1 Senator T.A. Vallois:**

Can I ask the Deputy if he were to be elected and he was sitting on the Chairmen's Committee, would he support the legacy report of the Care of Children review, which suggested that the review panel should continue on to the next term to ensure the follow-up of the care inquiry recommendations?

**The Deputy of St. Mary:**

Yes, I would. I am not quite sure ... well, this panel perhaps does not have the exposure to the same extent as other panels do, but certainly, yes, I would.

**5.1.2 Deputy G.P. Southern:**

Does the candidate accept that it is not the role of scrutiny to devise alternative policy but merely to assess the evidence that supports current ministerial policy?

**The Deputy of St. Mary:**

To a certain extent, yes. Certainly, the Scrutiny Panel is not there to frame the law, but I think in the words of the previous Minister for the Environment, he says if he produces a better law he is very happy if scrutiny can improve it. Scrutiny do need something in writing to begin with and that has often been a problem that we have been asked to give our comments so that they can feed off scrutiny's advice. The starting point must come from the Executive, but once we see it, we are there to make comments in the light of evidence received as to whether that is good or bad or could be improved.

### **5.1.3 Deputy M. Tadier:**

I will ask this of both candidates. The order in which one presents oneself for the chairmanship is obviously dictated by the order of the panels. Of course, it does not mean that one panel or area is more important than the other, and I know that the Deputy in question has done a very good job and I was pleased to serve with him on the Environment, Housing and Infrastructure Panel as well. Is this particular area his preference or would he also consider standing on the other panel if he were unsuccessful?

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

I thank the Deputy for this question. As he says, he kindly has served on the Environment panel when I was chairman and I pay tribute to his contribution. No, I have decided that on this occasion, while it was right when I first took up a political career to belong to 2 panels to get a full understanding of what was involved, I confine myself to just this one panel. I am not seeking a role on Environment on this occasion.

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

Does the Deputy feel that Scrutiny Panels are sufficiently resourced? One example may be the research capability. If not, what does the Deputy intend to do about that?

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

Again, I thank the Deputy for his question. In terms of resources, I think there are financial resources available and maybe at times scrutiny does not make best use of them. I think the major problem is human resource. Should there be more scrutiny officers or interns or whatever you like to call them to assist us in our research? That is an area where I think we could do with more help. My understanding is that the States Greffe are pursuing something along those lines, and that I would welcome.

### **5.1.5 Deputy J.H. Young:**

My question has been covered but, to add to it, in view of this huge issue of resource shortfall that the candidate has spoken of, will he be taking it up strongly with the Chairmen's Committee to ensure that the whole of scrutiny is given adequate resources to do the job?

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

I thank the Deputy for his question. Yes, I will. I think the previous chairman of the Chairmen's Committee - now the Chief Minister - is well aware of the flavour of what we were about. As I say, I think the main concern is more manpower to assist the scrutiny function generally, and that will be taken up by the Chairmen's Committee, I am sure.

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

Could the candidate state where he would go in the first instance to seek advice and expertise on particular subjects in this area?

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

Normally the scrutiny officer, who has access to, we are told, the States Greffe and contributions from other officers. I think it might be ill thought of if we went off on our own to suggest something. Certainly, as a matter of courtesy, if there was any idea where a particular service could be delivered by a particular organisation I would do that through the scrutiny officer. They must have control over that aspect.

### **5.1.7 Deputy M. Tadier:**

The issue of consultants being used is obviously a contentious one during public elections, but I think we all appreciate that when consultants are used, and provided they are the right ones for the right job, they do provide valuable insight that perhaps politicians may not otherwise have. Given the fact that with Brexit on the horizon and the fact that we are going to presumably need to have stronger relations with the European Union and other parts of the world, should we look to engage more consultants who are not necessarily from the U.K. but perhaps from Europe and around the globe when advising Scrutiny Panels?

**The Deputy of St. Mary:**

That is an interesting question. It perhaps depends on the subject involved. As you rightly indicate, we have tended to instruct consultants in the U.K. possibly because, unlike the Deputy, we are not all fluent in French or other languages. Yes, if there are particular topics which have a European flavour I see no reason why we should not look to consultants elsewhere.

**5.1.8 Deputy J.H. Young:**

The other panels, particularly Corporate Services, get lots of advice from people such as the Fiscal Policy Panel on issues to do with taxation and so on. Does the candidate agree that a lot of that material is relevant to the work of the Economic Affairs Scrutiny Panel and, if he does, could he give his opinion on whether we can rely on just that one single source of advice?

**The Deputy of St. Mary:**

Certainly, in relation to matters pertaining to the M.T.F.P. there has been a move whereby the same advisers, with a view to keeping costs down, instructed by Corporate Services, share their advice with other Scrutiny Panels. That has happened, otherwise there is a duplication. I would not wish a panel to be in the position of having 2 different forms of advice, but I take the point that there may be areas where, shall I say, Economic Affairs' position is much more specific than that of Corporate and that particular advice should be taken from another quarter.

**5.1.9 Deputy G.P. Southern:**

Does the candidate have any experience of appointing consultants from the realm of academia in order to help them with particular studies?

**The Deputy of St. Mary:**

I am just trying to think of the correct answer to that. Going back on the various projects we have dealt with over the last few years, not from academia itself but I think that some of the consultants are themselves almost a mini academic organisation. They are not attached to a university but they have come out of universities and perhaps sometimes created a loose federation and advise. Certainly, I did at one stage have in mind a particular university for a particular aspect, which was not proceeded with. I agree that if the Deputy is indicating that we should have greater regard to academia, I think that it is a useful suggestion because I think it also might well be value for money as well.

**The Bailiff:**

Are there any other questions for the Deputy? If not, very well, thank you very much. Then, Greffier, can you please invite Deputy Morel to return and the Deputy of St. Mary to retire?

[11:30]

**Senator S.C. Ferguson:**

While we have a gap, could I ask whether any of the ladies have lost an earring? I do not know whether any of the men have lost them either. **[Laughter]**

**The Bailiff:**

Well, I have not.

**Senator S.C. Ferguson:**

Jan in the tearoom has an earring which appears to have dropped from somebody's ear, so if you have lost an earring ...

**The Bailiff:**

That will get everyone's attention, Senator, which is excellent.

**Senator S.C. Ferguson:**

I do not think Constable Norman was listening. [Laughter]

**The Bailiff:**

Have you lost an earring, Connétable? That was the question. [Laughter]

**Deputy M. Tadier:**

Was it an earring aid or just an earring? [Members: Oh!] [Laughter]

**The Bailiff:**

Thank you, Deputy Morel, you have 10 minutes and then questions.

**5.2 Deputy K.F. Morel of St. Lawrence:**

I believe that the economy is not an end in itself. It is not something that we will one day complete and be able to sit back and look upon, pleased with the great job we have done. No, the economy is a constantly evolving ecosystem of human interaction that when working at its best enables us all to develop and prosper as a society. It does so by providing us with the tools, technologies, incentives and disincentives that motivate us to keep progressing as a community. In Jersey, our economy not only helps us acquire off-Island resources and allocate them locally, it is the principal means by which we stay in touch with the rest of the world. In fact, it has become the prime medium through which we define our place in the world. In the mid-20th century, our Island community recognised that conditions were right to encourage the creation and growth of a new element of our economic ecosystem, the financial services sector. Today, Jersey is an Island shaped by the world of finance. It has created a vibrant society that carries a lot more clout on the international stage than any community of 100,000 people should. This success has, though, also created a strategic vulnerability that I am sure all of us recognise. This vulnerability is the weakness of being an imbalanced economy, one that is overly reliant on a single sector. Like all ecosystems economies grow and can thrive but if not tended properly they can also wither and die. However, no matter what the most ardent free marketeer may say, economic growth and evolution is always triggered by entirely conscious human decision making. Today we again find ourselves at a point in our Island's history when we are trying to find and grow new industries with the aim of creating a broader base and more resilient economy. As the Minister for Economic Development, Tourism, Sport and Culture works towards this diversification, we need to be aware that whatever successes he and his department have - and I do wish them the greatest success - the consequences will be far-reaching. As we can see, not only with finance but with other older, highly successful industries that our ever-enterprising Island has nurtured, they have all done more than earn us money. They have come to shape the very landscape we live in and the culture and society that we will become. This is why their value extends well beyond pounds and pence and why we must continue to ensure that those once great but now smaller agriculture and tourism industries have sustainable futures. It is because our economic ecosystem is so intricately laced into every facet of our society and environment that the Minister

and officers who are working diligently to guide it must be held constructively to account. If elected as chair of the Economic Affairs Scrutiny Panel, the Assembly and the relevant Ministers can expect in me a chair who will ask probing questions and who will want to ensure that the views of those people guiding the businesses, small and large, that power our economy are being taken into account. Just now when I referred to relevant Ministers, I did so because it is my view that the economy and its impacts are so broad that while the Economic Affairs Scrutiny Panel formally scrutinises the Chief Minister's Office and the Economic Development Department, in order to do this work effectively and to better reflect the new, more flexible departmental structures, I believe the panel will also need to have excellent lines of communication with at the very least the Environment, Social Security, Housing and Education Departments. As chair, I will invite Members on to the panel who can bring not only experience and expertise but also relationships with the very people and businesses that are affected by the Government's economic policy making. We will be a listening panel that speaks to stakeholders so we are in the best possible position to effectively question new policy and legislation and measure the progress of policy in action. The economy stops for no one, and right now it faces challenges on a startling number of fronts: digital transformation, Brexit, international media and regulatory pressure on the finance sector, productivity decline, increased international competition, our own upcoming migration policy debate, the Island Plan, and longer term pressures including the changing nature of work and employment, as Deputy Higgins rightly highlighted earlier, and, of course, the pressing need for diversification. These are all pressures that the panel will want to see the Government dealing with, but if the panel is to provide effective scrutiny we will need to increase the pace of output from previous years to build on the very useful and informative work undertaken by our predecessors, who have in their legacy report recommended that we look at the rural economy strategy, financial services legislation and proposed changes to competition regulation. These have all been recommended as areas that should be reviewed and scrutinised and I believe they should form part of our work. Under my guidance, the Economic Affairs Scrutiny Panel would not only undertake these areas of work but would also review policies and progress to date in the tourism and digital sectors as well as scrutinise the constant stream of developments in the financial services sector as it seeks to maintain its international reputation and comply with global regulations. We will also seek to review whether any work permit system introduced through the migration policy is striking the right balance between population management and economic success, particularly in regard to the more vulnerable agriculture, tourism and digital sectors. Listening to the experiences of business will be crucial to the success of this work. In terms of more specific initiatives, I believe the Minister is right to encourage experimentation within specific markets such as event-led tourism and so should be bold at times. Indeed, he has already been so as we can see with the introduction of Super League Triathlon to the Island's sporting calendar. Being bold, however, can come with costs, as we have all learned from the failure of the Innovation Fund. The fact that the original model chosen was ultimately proven to be wrong should not stop this Government from finding new, more effective ways to facilitate the funding of innovation because in an ever-increasingly competitive world, Jersey cannot afford to sit back. We have to keep pushing forward, creating new technologies and new business concepts. Such undertakings, however, must be carefully measured for effectiveness. There is no doubt in my mind that scrutiny can and should play a key role in providing objective analysis that can aid a Minister's decision making in such areas. One thing has struck me about these past weeks and months of relatively planned upheaval in this Assembly and the Island's Government. It is the need for there to be threads of continuity that new office holders are able to grasp on to in order for the Island to experience an effective level of continuity amid all this change. It is with this in mind that I would also like to see the panel develop a framework for Economic Affairs scrutiny that enables us and future panels to more effectively measure the work of departments. Such a framework would enable the effective assessment of policies for important values, such as sustainability, productivity, social and cultural impacts, diversification potential, reputation development and, perhaps most importantly of all, diversity and inclusivity. If the legacy



report that this panel comes to write is able to contain a framework that helps future panels to provide a level of scrutiny that truly helps the Minister for Economic Development to work successfully and in a manner that enables him to take account of the full scale of our Island's economic ecosystem, then I believe we would be a panel that has succeeded in being a true critical friend to Government. I recognise that I am bringing these intentions and aspirations to an Assembly that is not necessarily aware of my own experiences and how they will help guide me as an effective chair. In short, I am what our Island economy is not. I am broad-based but, like many of my fellow Islanders and Members of this Assembly, I am outward looking. Having studied languages and literature to degree level before turning to environmental decision making as a post-graduate, I have lived and worked abroad. As someone with an insatiable curiosity and desire to learn, I have successfully crafted a career as a communications consultant and freelance writer, working for a wide range of businesses and publications, both domestically and internationally. This work has helped me build relationships with and learn from leading figures across industries. Over the past decade, I have had the privilege to meet, interview and question leaders in tourism, construction, agriculture, energy, retail and real estate. It is, however, in the technology and finance sectors, both here in the Channel Islands as well as other similar small jurisdictions, that I have done most of my work. Jersey is faced with challenges both familiar and unfamiliar. We are facing a 21st century that is already full of uncertainty, and to ensure that our very capable and forward-looking Ministers are able to most effectively guide the Island through this period of change we will need effective scrutiny that is able to comprehend the full extent and impacts of a 21st century economy, making sure it works for all Islanders. I believe that I have the knowledge, experience, relationships and insatiable curiosity needed to deliver the proper, effective and helpful accountability of Government that this Island needs and deserves and it is with this in mind that I humbly ask Members of this Assembly to elect me as chair of the Economic Affairs Scrutiny Panel. **[Approbation]**

#### **The Bailiff:**

Now, questions. Deputy Tadier.

#### **5.2.1 Deputy M. Tadier:**

First of all, can I congratulate Deputy Morel on what was an excellent maiden speech and an excellent speech **[Approbation]** in its own right as well. If I may say so, it was worthy of a pitch for Minister for Economic Development, not necessarily for the chair of this panel. He did mention at the end that he has great environmental credentials as well, which were evidenced - **[Interruption]** somebody has found an earring maybe, another one **[Laughter]** - by the questions he has already submitted this week to do with environmental issues. If not successful for this position, and it is a question I asked the other candidate, would he consider putting his name forward for that panel, which I think also needs vigour to direct the Island in an environmentally sustainable way and in an environmentally sustainable economy?

#### **Deputy K.F. Morel:**

Thank you for those very kind words. I have been considering a position on the Environment Scrutiny Panel. It is something I would happily talk about to see what other Members think.

#### **5.2.2 Senator S.Y. Mézec:**

This question is being asked of all candidates today, I think, but if he is elected to this position he will be a member of the Chairmen's Committee, whose job it will be to determine if the Care of Children in Jersey Review Panel is reconstituted or not. Could he just confirm for the Assembly if he would support reconstituting that panel so that it can carry on examining the work done to implement the recommendations from the Care Inquiry?

#### **Deputy K.F. Morel:**

Yes, I certainly would.

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

Has the Deputy considered the resources that are available to a Scrutiny Panel? As an example, I would suggest the resources in terms of research capability. What is the Deputy's view on the resources available? Would he like to make any changes?

#### **Deputy K.F. Morel:**

More resources are the changes that I would like to see. Scrutiny has, I believe, over the years been hampered by a lack of resources. Many informative and worthwhile reports have come out, but as I referred in my speech, for instance, the Economic Affairs Scrutiny Panel has not - and I am sure it is due to a lack of resources - delivered the amount of work that is needed to effectively scrutinise the Island's economy, which is much, much larger than many people sometimes think. So, I would like to see more resources, particularly in terms of staff and researchers.

#### **The Bailiff:**

Are there any other questions for Deputy Morel? Deputy Southern.

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

I am aware that Deputy Morel has little experience in this area, but I would ask him where he would seek consultants and advisers from when he is dealing with specialist areas of the economy.

#### **Deputy K.F. Morel:**

That is a really interesting question, thank you. If we are talking geographically, wherever is best. I am not someone who would rush off to whatever is coming out of London as the latest thing. Interestingly, and this also refers to Deputy Tadier's question about the environment panel, I think from an economic perspective one thing we have not done with consultants is involve consultants who have a more rounded approach, as I discussed in my speech, to what the economy is and the effects of the economy. So, one thing I would like to do, and I have thought about this for many years, long before I came to this Assembly, is see us use consultants who understand the importance of the economy but also understand the importance of its effects and want to look perhaps more at the sustainability of an economy. I would like to see more consultants with a wider range of thinking involved rather than the ones ... Jersey has been led by one economic consultancy for a long time and I believe that we should start looking at other areas.

[11:45]

### **5.2.5 Deputy J.H. Young:**

The Deputy's visionary speech I think raised questions about the whole structure of Government, the way in which economic activity is linked into environment and linked in other ways. Could the Deputy give us his preliminary view about whether or not in adopting our one Government approach we should be having another look at those structures within scrutiny, for example, and the panels that we have and indeed even the ministries? Does he think we need a broader approach in our move towards One Government?

#### **Deputy K.F. Morel:**

I do not want to pre-empt the changes that are in progress. Before the elections, we have seen the Chief Minister invite the Assembly to make changes in law. We have seen a new chief executive, and I know the new Chief Minister has views of his own as to how best to create an inclusive Government that does work effectively across portfolios. I would prefer to wait and see what happens, but I believe we are trying to reach that One Government perspective and understand the

holistic nature of pretty much every department of Government and how every department links to every other within Government.

**The Bailiff:**

Are there any other questions? Very well, then please ask the Deputy of St. Mary to return. I invite Members to return to their seats. The vote will be coming up shortly on the appointment of the chairman of the Economic Affairs Scrutiny Panel. Very well, having invited all Members to return to their seats, the vote is on the chairmanship of the Economic Affairs Scrutiny Panel. If you wish to vote for the Deputy of St. Mary, please press P. If you wish to vote for Deputy Morel, please press C. I ask the Greffier to open the voting.

<b>Deputy of St. Mary: 16</b>	<b>Deputy K.F. Morel of St. Lawrence: 29</b>	<b>Abstain: 0</b>
Connétable of St. Clement	Senator I.J. Gorst	
Connétable of St. Saviour	Senator S.C. Ferguson	
Connétable of St. Brelade	Senator T.A. Vallois	
Connétable of Grouville	Senator K.L. Moore	
Connétable of St. John	Senator S.W. Pallett	
Connétable of St. Peter	Senator S.Y. Mezec	
Deputy J.A. Martin (H)	Connétable of St. Lawrence	
Deputy G.P. Southern (H)	Connétable of Trinity	
Deputy of Grouville	Connétable of St. Ouen	
Deputy K.C. Lewis (S)	Connétable of St. Martin	
Deputy M. Tadier (B)	Deputy M.R. Higgins (H)	
Deputy of St Ouen	Deputy J.M. Maçon (S)	
Deputy of St. Mary	Deputy S.J. Pinel (C)	
Deputy of St. Peter	Deputy of St. Martin	
Deputy of Trinity	Deputy R.J. Rondel (H)	
Deputy C.S. Alves (H)	Deputy L.M.C. Doublet (S)	
	Deputy R. Labey (H)	
	Deputy S.M. Wickenden (H)	
	Deputy G.J. Truscott (B)	
	Deputy J.H. Young (B)	
	Deputy L.B. Ash (C)	
	Deputy K.F. Morel (L)	
	Deputy G.C.U. Guida (L)	
	Deputy of St John	
	Deputy M.R. Le Hegarat (H)	
	Deputy S.M. Ahier (H)	
	Deputy J.H. Perchard (S)	
	Deputy R.J. Ward (H)	
	Deputy K.G. Pamplin (S)	

**Deputy K.F. Morel:**

Thank you. I am honoured beyond belief. Thank you to the Deputy for ...

**6. Chairman, Education and Home Affairs Scrutiny Panel**

**The Bailiff:**

We now come to the presidency of the Education and Home Affairs Scrutiny Panel. Senator Vallois as Minister for Education and the Connétable of St. Clement as Minister for Home Affairs are precluded from nominating or voting. Are there any nominations? Yes, Deputy Ash.

**Deputy L.B. Ash of St. Clement:**

I would like to nominate Deputy Robert Ward. He has taught for many years both here and in London. I cannot think of anybody better qualified than him.

**The Bailiff:**

Is that seconded? **[Seconded]** Are there any other nominations? Very well, Deputy Ward.

**6.1 Deputy R. Ward of St. Helier:**

I stood for election to this Assembly to make a difference. While my primary role is to represent the constituents of St. Helier No. 2, I am also looking to have a wider impact in my time as Deputy. The role of chair of the Education and Home Affairs Scrutiny Panel provides the opportunity to have this positive impact. I have a willingness to commit to the hard work required to drive this vital part of the work of the Assembly. I am realistic about the workload and confident that I can manage it successfully. My background is predominantly as an educator. I have first-hand and current experience of Jersey's education system as a teacher, as a head of department and as president of the Island's largest teaching union, all of which provides unique and directly relevant insights for the role. In addition, I bring a keen interest in the wider affairs of Jersey, its legislation and how it addresses specific issues that directly affect the lives of our communities. The Home Affairs element of the role adds further relevance. The role of scrutiny is key to the effective workings of Government and being truly accountable to our electorate. It is a critical eye in its truest sense of the word and by this I mean an analysis of the merits and faults of work, scrutiny must include both of these elements. It is through effective scrutiny of policy, legislation, business plans, budgets, and wider matters of public interest, that we can add to the success of our decision-making along with the quality of service and delivery of relevant departments and beyond. I would like to commend the work of the previous Education and Home Affairs Scrutiny Panel and make clear that it would be my intention to continue to build upon their work. I will address this in more detail later. I have an analytical approach to my work. I believe in evidence-based approaches to understanding and influencing policy and legislation. I understand the use of data and statistical analysis. I am highly numerate and highly skilled in considering a number of variables in a discussion in order to form a clear and concise opinion from the information gathered. I understand and have indeed taught research methods, both qualitative and quantitative, their suitability and the strength of the outcomes from them. In short I bring the skills needed for the role of scrutiny chair along with the determination, openness, and an ability to effectively communicate across a wide range of audiences. The Education and Home Affairs Scrutiny Panel undertook a number of significant pieces of work during the last Assembly. They published 19 reports, it met on 138 occasions during this time, they published and concluded a number of diverse areas, including special needs education, the role of the prison board of visitors, starting school age, amendments to the Sexual Offences Laws, and a number of areas linked to the Medium-Term Financial Plan. There do remain areas that need completion or further review, these include the N.E.F. (Nursery Education Fund), the long-term future of higher education funding, hate crime and public order legislation, legislation around domestic violence, a review of digital skills and skills strategy, an ongoing review of vocational training and further education, and the development of the Jersey Premium and its use in education. I have detailed the work of the previous panel because, although scrutiny work will often be an ongoing process, we need to have completion on areas of work in order to provide the advice, guidance and critical eye, required from the scrutiny process. There will be new areas of work that will develop as we move to greater work between departments. The organic nature of this demand is understood and I see it as a positive driver for the role. I have experience of balancing the demands of a number of roles and bringing people together

to work to common goals. I am a trained union caseworker, I have been a successful advocate for others, and always engage to find solutions to problems. I have completed negotiation training, which has enabled me to widen the impact of my work with the union's joint council and negotiations with the States Employment Board. This has not always been an easy process. These skills will be vital in building an effective scrutiny team that is proactive and creative in its approach. I will look to use the experience and talents of those who undertake membership of the scrutiny panel to the fore. We need our politicians to be passionate about this vital part of Government. It is via this inclusive approach to panel membership that positive conclusions can be made that are respected across the political spectrum. I hope to gain support from across this Assembly for the panel. Although new to this Assembly, I am not new to research, consultation, reporting, and accountability of outcomes. My career has been built upon working co-operatively within teams in order to achieve the best possible outcomes always within limited budgets. I will look to lead the scrutiny process with a clear understanding of the need for effective use of public funds to produce meaningful and applicable outcomes that will provide the concrete foundations for effective policy making and change where needed. I would like to talk briefly about the personal skills I bring to the role as many of you do not know me well. I consider myself very approachable. I am open about my opinions but keen to learn about those of other Members. My 25 years' experience of teaching science and psychology means I have an academic background. The rigour needed for these subjects is a definite plus for the role of scrutiny. My role as union president has meant I have experienced scrutiny from the other side of the table. This experience is invaluable if we are to truly engage stakeholders in our processes. It also means that I have represented a group of professionals and, take it from me; teachers are very analytical, critical and precise, in their work. You cannot pull the wool over their eyes. I am confident in dealing with the media and with social media. I have excellent I.T. (information technology) skills and see the digital future as an opportunity we cannot miss in the scrutiny process. We must communicate our outcomes more effectively in order to gain a much wider audience in our political processes. I am an experienced writer of reports, from reports on formal claims for a professional body through departmental reports to individual reports on students, all of which have their own challenges of prose and of content and all of which have deadlines. So I hope you can support me in the role of Chair of the Education and Home Affairs Scrutiny Panel; that I have made clear the approach that I will take, and that I convinced you that this new face in the Assembly can take on a very established role. To conclude, the way we conduct our affairs on this Island, the laws we pass and the impact that we have, are vital to the quality of all of our lives. Effective scrutiny of this area is essential for the long-term health of our society and education is the future of this Island. It is time for us to judge our success on the quality of the education all generations' experience. I firmly believe that having a teacher and teachers at the very core of the scrutiny of our education system will provide an opportunity that we must not miss. Thank you for your attention.

**[Approbation]**

**The Bailiff:**

We are opening for questions. The first question from Deputy Maçon.

**6.1.2 Deputy J.M. Maçon:**

May I thank the candidate on his kind words about the previous good work of the past Education and Home Affairs Scrutiny Panel. However, can I just ask, does the candidate agree that scrutiny is not a position and how does the candidate intend on engaging with the ministerial teams and keep the dialogue and relationship going?

**Deputy R. Ward:**

Yes, I understand. I mean the position of a chair of scrutiny. The dialogue is the key and, as the Government changes to be more broad in its approach, I think that communication between scrutiny

members, the chair and Ministers and other areas of Government will be essential if we are going to have a successful process.

**6.1.3 Deputy L.M.C. Doublet of St. Saviour:**

Can I congratulate the chairman on his imminent appointment. I think he is going to do an excellent job. He mentioned his experience as a teacher and I understand he is a secondary school teacher. How will he ensure that views of primary school teachers are heard and specifically a review that the past panel carried out into the school starting age, which I think it is fair to say was largely ignored by the previous Minister, is that something he is prepared to pick up on the recommendations and follow that one up?

**Deputy R. Ward:**

Yes, absolutely, I am a secondary school teacher, however in my role as union president I represented all areas of education, primary, preschool, secondary and tertiary education. So I have a lot of communication and a lot of links in primary schools and early years indeed.

[12:00]

The vital nature of early years we must emphasise, it is in those first few years that we mould the young people of the future and we can solve many, many problems at that time. You are absolutely right about the age from which we start school, but I would also add that it is the nature of the schooling that we start. Age is a relevant thing obviously, but those young years you can have such a difference between somebody if they are born in June or whether they are born in August, and so you have to look very carefully at what they are experiencing. I would like us to look at areas where starting school is perhaps later because early on it is not a formal education but an introduction to what it is to be a child and to be with others.

**6.1.4 Deputy K.F. Morel:**

Congratulations, Deputy, on your appointment. I would like to know how much importance you will place on looking to see whether the Minister for Education and the officers are looking beyond the U.K. for best practice models of education.

**Deputy R. Ward:**

Yes, I know from experience of dealing with Chief Ministers and the Minister for Education in my wider role that they have consulted different areas of the world. Personally, I do not think that China and the Far East was the best place to look, I believe there are other areas around the world which are very successful in their education system, like Finland for example, which is not only successful but has excellent retention of their staff and really values their professionals and I think we should be looking in those sorts of areas.

**6.1.5 Deputy J.H. Young:**

Congratulations also on a superb maiden speech and his election. A similar question, obviously the education world, we seem to be surrounded these days with league tables and assessment tables and comparisons and so on, all of which in the moment seems to be U.K.-centric. Could he just expand a bit on his views about how the new panel might go about making sure that we are not locked in our comparisons and that we can look at the opportunities for vocational education as such in Europe to make sure that we achieve the right future for our youngsters?

**Deputy R. Ward:**

Yes, I absolutely agree. What we have at the moment is a data-driven model of education. It is part of what some people refer to as the global educational reform movement where education has become a very commoditised experience and it does not work; it does not work, it does not provide the best

for our students, they simply become commodities for us to be judged upon. We need to look at wider models and I would encourage scrutiny to be looking wider and also to look at the data that we are using. I think there needs to be a real investigation and analysis on what that data means. One of the benefits I do have is to be able to bring knowledge of consultants and specialists from the U.K. who look at data in detail. I have had the privilege a number of times of attending conferences as regards education, not just the Association of Science Education, which is a fantastic conference, but the National Education Union, which is the largest union in Europe, who draw specialists from all sorts of areas and the fringe meetings there, I have a number of names of people who look genuinely at data and its use and I think we all need to be educated in what that means for our young people. So, yes, I would encourage that.

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

Congratulations to the Deputy on a very well-presented speech. However, I am not sure that I heard him mention Home Affairs in it very much and, if he did mention it, I apologise for missing it. However, it seems to me that all the questions have centred on the educational aspect of the role and I would like to know what he sees as being the priority for scrutinising within the Home Affairs Department.

#### **Deputy R. Ward:**

Absolutely. I believe I did mention a number of areas regards Home Affairs. I talked about some of the coverage, which were the role of prison board of visitors, amendments to the Sexual Offences Laws, and indeed I talked about a number of areas linked to the Medium-Term Financial Plan, so that was really important. I would suggest that some of the things that are needed to be completed need completion and I think the priority needs to be the legislation around hate crime and public order legislation. I think that needs to be completed and brought to the States. I also believe that the legislation around domestic violence is incredibly important for the well-being of so many people on this Island. So there were 2 specific areas. I will say that I am glad that you asked me about Home Affairs because this is not just education and I wanted to try to emphasise that, so I thank you very much for that question. Yes, that is an area where I will learn much more and that is exactly what I intend to do. I have had a tour of the prison for a different role so I am aware, for example, of the structure of the prison and the education there. So the 2 things do link together as well.

#### **6.1.7 Deputy M. Tadier:**

I am sure I know the passion the Deputy has lies primarily in education but I am sure he will agree that a lot of the transferable skills will serve him well for both portfolios and the scrutiny thereof. Does he agree then, talking about Home Affairs, that he would consider focusing and doing a review on drug-related policy from the department and legislation to see if it sufficiently focuses on harm reduction and whether it is fully up-to-date and appropriate for the modern era?

#### **Deputy R. Ward:**

Yes: to commit to any scrutiny topic at the moment would not be wise because we need to get the panel together; we need to see what specialisms we have. However, yes, I think this is a wider issue as well and this is where different departments in Government come together. So, for example, the sort of investigation you are looking at there involves Health, it involves the way in which we can prevent illness through drug use by intelligent laws, intelligent approaches to what is happening on our Island and a much more open view of uses of drugs, so absolutely that would be an interesting area.

#### **6.1.8 Senator S.Y. Mézec:**

The same question that I have asked all candidates with a little extra bit at the end, would the chairman of this panel, in his role on the Chairmen's Committee, push for the Care of Children in Jersey Review

Panel to be reconstituted so that it can carry on its work? However, also, on top of that, the previous Care of Children Review Panel was chaired by a member of the Education and Home Affairs Scrutiny Panel, does he think that should continue for the next panel as well because there is obviously a very important link between general children's services and the education service?

**Deputy R. Ward:**

The first part of that question, absolutely yes. The second part of the question, I would say initially, yes, it does appear to be the most logical thing to do and it is very, very important that education is represented. So my answer to that is yes. Although obviously with the same proviso, I have literally just started here so it is best to ... I do not want to make decisions that are rash; I do not think that is a good idea. I think we need evidence and we need to consider where we are going with that sort of decision.

**6.1.9 Deputy J.H. Perchard of St. Saviour:**

Congratulations, Deputy Ward. I am very, very excited that you are in this role and I look forward to working with you hopefully on this panel. I would like to ask you, him - sorry, third-person gone out the window - I would like to ask the Deputy what value he places on academic or expert research into pedagogical practice and what role he sees such research playing in reports, reviews, or decisions made by a scrutiny panel?

**Deputy R. Ward:**

Yes, academic research is important. We need to have an evidence base for the decisions that we make. However, it cannot just be for the sake of it, it needs to be intelligently focused in areas and we need to have a very clear picture of what we want to look at before we start. So, for example, if we are looking at data we need somebody who knows about data and has a good overview of what that data means and the consequences of using a data-based model of education. If we are looking at early years, we need to have specialists who genuinely know about early years, but also the long-term effect of that, so that the data and the information that we gather ... and I mentioned in my speech about quantitative data, but also qualitative data that is the understanding and the interpretation of where we are going, which is partly political because it drives the nature of the education that we have, which I believe does need to change.

**6.1.10 Deputy G.P. Southern:**

While I realise the candidate has little experience in this particular area, he did emphasise his research qualifications and the question I would ask him is, in general terms, when doing a piece of research what does he consider the most important, the beginning or the end?

**Deputy R. Ward:**

I think the 2 are intimately connected and I would like to be, perhaps not the first, but to quote Einstein, the theory determines what we observe. If what you are observing is not based upon a sound theory of what you are looking for you will get nonsense at the end. However, the outcomes need to be acted upon and that is the key. So I would suggest that you have to start from a good question, you have to go through a rigorous research process that is meaningful, and then you have to come to outcomes that are doable, achievable, and possible.

**6.1.11 Deputy J.M. Maçon:**

The Constable of St. Lawrence asked my question so I do have a different one. How does the candidate see his role on the Chairmen's Committee?

**Deputy R. Ward:**



Yes, I suppose this is where my inexperience does come out and I have been very open and I will be honest again. I obviously will be there, I would like to contribute as much as I possibly can, but I have to make sure that any workload that I take on is manageable so that I can achieve and do my best in terms of the outcomes and not just take things on for the sake of it. However, I would have to look at what that entails first, which is getting better at politician's answers I think.

**6.1.12 Connétable M.K. Jackson of St. Brelade:**

Going back to Home Affairs, the Deputy will be aware that the agricultural industry is desperately short of labour, what are his views on the importation of labour from non-E.U. (European Union) countries?

**Deputy R. Ward:**

I do not think there is an issue of where labour comes from; I think then issue is the rights that people have when they are working here. As part of our manifesto we talk about a living wage and I think that should extend to all workers on the Island and so, if we have that, we do not undercut local workers, and I think that is very, very important. So one of the first things we need to do is protect workers' rights. That is the bigger issue for me in terms of where workers are coming from, in terms of where they come from, from other countries. Also Brexit is going to have an impact somewhere along the line and it is very unclear as to where our source of labour will come from but I do not think we should be travelling around trying to recruit in areas that we have not previously simply because we do not feel that we can get the best deal from those individuals. I think there should be a basic right here that is coming to work here and where people come from I think is open because we are part of a very wide connected world now.

**6.1.13 Deputy L.M.C. Doublet:**

Is the Deputy, in regards to Home Affairs, aware of the recent cuts to police numbers and will he agree to monitor this?

**Deputy R. Ward:**

Yes, absolutely. I am aware because of my role in the Joint Union Council, so there has been lots of talk about cuts and I have constantly opposed cuts to public services, be it the police, education, health, because I think they are counterintuitive in the long run. Cutting police numbers does not seem sensible to me. We need to look at how we can effectively use our police of course, but, yes, I am aware and that is something I think we will definitely need to be looking at, but perhaps also in a wider context of general cuts across services. This is where again interrelations between different departments perhaps comes into it.

**The Bailiff:**

Any further questions? Deputy Young.

**6.1.14 Deputy J.H. Young:**

In the portfolio that the Deputy has taken on, I suspect there are 2 very contrasting styles between the 2 Ministers and I wonder what the chairman of the panel's view is about how the panel might be able to adapt, to adjust to what are the needs of what one might see as a solid traditional service and one which has a very big forward-looking agenda. Not that Home Affairs is not forward-looking, but how might he tackle those alternative and really quite contrasting subjects and styles?

**Deputy R. Ward:**

Yes, I think the success of the scrutiny panel is not just about my success as chairman, it is about the membership of the scrutiny panel and enabling people to go and use the skills that they have and it

is about getting the right people on the panel. What I did say in my speech is that I really would like to get support from across the Chamber, the Assembly.

[12:15]

I know there are specialists in education I would really want to be involved, but I also know there are people who really do know about Home Affairs and I would like them to be involved as well. Then I think the model of scrutiny needs to be that I see no problem with having subgroups of scrutiny with people who know what they are talking about so that they can look at specific areas and use their specialist knowledge. Again we go back to what I said earlier, ask the right questions, go through the right process, hopefully come out with the right answers, and therefore be more productive. So that is what I would suggest that we do.

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

The chairman made reference to the manifesto document of the Reform Party. As chairman, if there was a conflict between the manifesto and the work that the scrutiny panel was undertaking, where would his loyalties lie, would it be with the party or with scrutiny?

**Deputy R. Ward:**

I answered the question that you asked me, which is why I referred to the manifesto. No, the scrutiny panel is independent and it is objective. I do not see a conflict between the 2 at all. It is about gathering information; it is about looking into questions and it is about producing a report. It will not just be me; that is why I want representation from across the Assembly. So, no, I do not see a conflict there, otherwise that could be the case of anybody on scrutiny from a political party, whether it has been declared or it has not been declared.

**6.1.16 Deputy M. Tadier:**

I think the future chairman answered the point but of course any of his members may have their own personal manifestos. He will obviously want to make sure that those personal manifestos are put to one side and all the evidence is scrutinised objectively and can he assure us that, as a scientist, he is used to looking at empirical evidence and the quality of the data and you do not substitute your opinions about what chemicals are going to do, for example. That is completely irrelevant when you are in the lab, and similarly when you are scrutinising policy from Ministers you look at them on the basis of whether they are going to work or not and your opinion is largely irrelevant politically.

**Deputy R. Ward:**

There is a question there somewhere.

**The Bailiff:**

I think the answer is yes, Deputy.

**Deputy R. Ward:**

Is that one minute?

**The Bailiff:**

One minute.

**Deputy R. Ward:**

It is ironic by the way that it is the Reform Jersey members that are giving me the most difficult questions. Thanks, guys. Yes, I am a scientist. I am also a psychology graduate, so it is a social science. If you ask my son he would say that is not a proper science; he is a chemist. So therefore, yes, there are softer skills there, which are useful, and indeed I think my use of research methods I

think is the relevant point there. You can have qualitative or quantitative research methods and the really strongest evidence will be obtained when you combine the 2 in order to come up with the widest and broadest set of evidence possible. So I think we will be very strong on that.

**The Bailiff:**

I congratulate Deputy Ward who is now appointed Chairman of the Education and Home Affairs Scrutiny Panel. [Approbation]

**7. Chairman, Environment, Housing and Infrastructure Scrutiny Panel**

**The Bailiff:**

We come next to the Environment, Housing and Infrastructure Scrutiny Panel. Deputy Young, Senator Mézec and Deputy Lewis are prohibited from nominating or voting on this particular panel Chair. Can I invite nominations? Connétable of Grouville.

**The Connétable of Grouville:**

I would like to nominate the Constable of St. Brelade. The Constable had an unplanned holiday from politics for 6½ years but, prior to that, he has considerable experience in this Chamber, so it gives me great pleasure to propose him.

**The Bailiff:**

Seconded? [Seconded] Are there any other nominations? Very well, Connétable of St. Brelade.

**7.1 The Connétable of St. Brelade:**

I have submitted my name as candidate for chairmanship of the Environment, Housing and Infrastructure Scrutiny Panel out of both a strong interest in these areas, but also to put to good use the experiences I gained during the period between 2005 and 2008 when I was a member of the Economic Development Scrutiny Panel, ably chaired by Deputy Southern with Deputy Martin, Deputy Lewis and the former Senator Breckon, and of course later, between 2008 and 2011, when I was Minister for Transport and Technical Services, the forerunner department of the present Infrastructure Department. My experience as Connétable has also helped me to keep my ear to the ground and keep abreast of what public reaction is to proposed policy changes and potential consequences. I read the previous panel's legacy report and thank them for their previous work and recommendations for the future. Clearly the portfolio of this panel is significant and, while having a core membership, I would propose to draw in members on an *ad hoc* basis for reviews where their interests and experience would be beneficial and work with officers in the scrutiny team to produce the best results. I spent a lifetime in managing a business and consider myself well equipped to do this. Our environment is so fragile in many ways and there is no doubt that the post-war years saw some fairly calamitous decisions, which we have subsequently had to live with. We must recognise that the public view has changed and we cannot just sit back and watch our Island be despoiled by filthy lucre. There is an expectation that Government will respect our countryside, will give due regard to our coastal areas, and think more towards the future of an Island for our children than they have ever done in the past. While planning and architecture is inevitably subjective, surely we should learn from past blunders and take measures not to repeat them. Environment is not all about planning in built areas, it is about managing our agricultural industry in a sustainable way, it is about ensuring our fishing industry remains able to support those who depend on it, and it is about stewardship of our countryside and the flora and the fauna, which is all too easy to take for granted. Then of course we have renewable energy solutions to consider. We have recycling issues to look at and of course the very topical use of plastics. Housing our diverse population on a small Island will always be challenging and while Government has to consider the social rented sector there are also first-time

buyers, growing families, and the elderly, all of whom have different needs. It will be for this panel to review the forthcoming policies in this area and I look forward to working collaboratively with the Minister for Housing. Our Island infrastructure, Jersey's engine room, is fundamental to our day-to-day lives and we all rely on it in some shape or form on a regular basis. The instant that there is any disruption to any of the services involved, the public will be quick to shovel blame on the unfortunate Minister whose fault it inevitably is. The many facets of the Infrastructure Department can, I believe from my own experience, be much enhanced by working with scrutiny and I refer particularly to the former Deputy, Connétable and just-sworn-in Constables Officer of St. John, or Minister for Drains, Mr. Rondel, as he is now. He was my scrutiny chairman of the day and I believe we had a very good working relationship. While not always agreeing, I felt the system worked for the benefit of Jersey in the way in which it should and much was achieved. I look forward to continuing in that vein for the benefit of our Island and I would conclude by saying to the newly-elected Ministers for Environment, Infrastructure and Housing, that, if elected, I shall, with my panel, be challenging your policies and decisions but by the same token pledge to work with you and your teams to achieve the best for the people of Jersey. I thank Members for their attention, invite questions, and would appreciate their support.

**The Bailiff:**

Are there any questions for the Connétable? Senator Mézec.

**7.1.1 Senator S.Y. Mézec:**

Again it is the same question I have been asking all candidates for chairs of scrutiny positions. He will be a member of the Chairmen's Committee upon his appointment. Would he agree with the other candidates who have indicated that they are interested in making sure that the Care of Children in Jersey Review Panel is reconstituted by that Chairmen's Committee so that it can carry on its work?

**The Connétable of St. Brelade:**

I think every parent in the Island would support that motive. I would add a rider that I would like to see some cost containment, which has failed to take place in the past.

**7.1.2 Deputy J.M. Maçon:**

Can the candidate explain to the Assembly how he sees his role on the Chairmen's Committee progressing?

**The Connétable of St. Brelade:**

I think I would like to see perhaps increased support of scrutiny in terms of possibly manpower and resources, as has been indicated in the various legacy reports. Certainly with regard to the scrutiny of the environment, there seems to be a focus on the fact that there was a shortage of resource or funding. I think that is an area we need to consider. It is for the Chairmen's Committee to look at a variety of issues from the various panels and address them as they pop up, so I think we shall be using our discretion and experience on those.

**The Bailiff:**

Any other questions? Very well, usual suspects are all absent from the Chamber. No more questions. **[Laughter]** I declare the Connétable of St. Brelade is elected as Chair of the Environment, Housing and Infrastructure Scrutiny Panel.

**The Connétable of St. Brelade:**

I thank Members for their attention.

**The Bailiff:**

I am wondering whether someone would like to propose the adjournment and we will start again at 2.15 p.m.

**The Connétable of St. Lawrence:**

Happy to do that.

**The Bailiff:**

I do not know if the next panel is going to be the subject of competition. Perhaps we can find out what the position is first. We come next to Health and Social Security Panel and the Deputy of St. Ouen and Deputy Martin are excluded from nominating or voting. Can I please ask for nominations? If there are not any nominations we will definitely adjourn until 2.15 p.m. Do you propose the adjournment?

**LUNCHEON ADJOURNMENT PROPOSED**

**The Connétable of St. Lawrence:**

I do, Sir.

**The Bailiff:**

We will adjourn until 2.15 p.m. this afternoon.

**LUNCHEON ADJOURNMENT**

[14:16]

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

Senator Moore.

**Senator K.L. Moore:**

Before we start business, I wonder if I could crave the generosity of the Assembly please? We are due to announce and agree the panel members on Tuesday and unfortunately, due to family commitments, I am unable to be here on Tuesday. So I wondered if, as a compromise, we might be able to move to the members of the Corporate Services Scrutiny Panel this afternoon. I think I am in a position to present those members to the Assembly by the end of the afternoon, however I have not yet been able to email everybody to ask if there are people who would like to join that panel and so I would ask Members, if they are interested in joining the Corporate Services Scrutiny Panel, if they would kindly send me a message this afternoon and if Members would agree I would like to move that panel this afternoon. Thank you.

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

It is not disallowed in Standing Orders, you can do it on the same day as the chairman is being elected, so if you want to proceed and you have your number and you have your names then we can do it at the end of this afternoon's business, but obviously Members will have heard what the Senator said in terms of getting in touch if they are interested in serving on the panel.

**Senator K.L. Moore:**

Thank you and I look forward to that.

## **8. Chairman, Health and Social Services Scrutiny Panel**

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

So returning to the appointments, the next on the list was the Chairmanship of the Health and Social Security Panel. Do you have any nominations? In the absence of a nomination, we will leave that one other and I will come back to that later. I see Deputy Martin? Deputy Ward?

**Deputy R. Ward:**

I am not entirely sure of the procedure for this. I understand that the Deputy I would like to nominate has not prepared a speech or answers to questions. However, I wonder if I can nominate Deputy Alves.

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

I think it would be unfair on Deputy Alves to ask her to make a speech and answer questions without any preparation at all this afternoon, so perhaps the more sensible thing would be to come back on Tuesday and deal with the election then.

**Deputy R. Labey:**

I would like to second the nomination for Deputy Alves [**Seconded**] and ask the Assembly to give the Deputy some leeway here.

**The Connétable of Grouville:**

I think there is one other person who is considering going for this post as well, but very much last minute, and, as you have said, it is very difficult to expect somebody to get up, answer questions and make a speech. So I think your idea of having the election on Tuesday ...

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

I now have a candidate nominated and seconded, I am afraid, Constable, so if Deputy Alves is prepared to accept that then she has the ability to speak.

**The Connétable of Grouville:**

Could I indulge the Assembly one more time? The person I had in mind was Deputy Le Hegarat and I do not know if she still wants to put her name forward but she is in a similar boat. I would propose her if she wants to.

**Senator K.L. Moore:**

I would second Deputy Le Hegarat. [**Seconded**]

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

So Deputy Le Hegarat has been nominated and seconded. Are there any other nominations before we proceed? In that case I look at Deputy Alves.

**Deputy C.S. Alves of St. Helier:**

Can I withdraw, please?

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

If you wish to withdraw that is absolutely up to you.

**The Connétable of Grouville:**

Am I right that if both candidates withdraw we will do this on Tuesday? That makes sense to me.

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

Deputy Le Hegarat, I am not sure, are you withdrawing or are you still in?

**Deputy M.R. Le Hegarat of St. Helier:**

I will remain in.

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

Thank you. You have been duly nominated and seconded. Does anybody else wish to be nominated at this point? Are there any other nominations to come forward? In that case, I ask Deputy Le Hegarat to speak.

**8.1 Deputy M.R. Le Hegarat:**

I am honoured to have been asked, prior to lunchtime, and was in probably a similar position to Deputy Alves, and it was quite a difficult thing to think about whether this was the right move or not. Everyone is fully aware of my past history, from the point of view of Home Affairs and as a police officer and am very passionate about that. What you all might wonder is: what does this has to do with Health and Social Services. Now, what that has to do with Health and Social Services is that all police officers start their career as patrolling officers. We dealt with a multitude of things. Those things including sudden deaths, road traffic accidents, public order, *et cetera*. The one thing that was always very, very difficult, as a police officer, was dealing with the death of someone's loved ones, in particular circumstances in relation to maybe something like a service that they had not been able to get hold of and they had taken that choice to end their own lives. That is why my passion for mental health, in particular, is very strong. I must apologise if I, at times, get a little bit emotional. As I said, I spent 25 years in the police. It was not only as a patrol officer that this particular element of health came to my attention. I spent a number of years as a custody sergeant. In the latter of my service, the 13 years was as an inspector. That role would also include custody. Therefore, you took responsibility for the care of those persons that were detained. People that were detained were not always necessarily there because they had committed a crime. They were quite often there because they had multiple needs which could not always be looked after and they had ended up in our care, because basically quite often we ended up as one of the last resorts. From that aspect of it, it drove me to also take on the community role, also as an inspector. I worked very, very closely with health services and mental health services to see what we could do in relation to being able to help people along the way and see what other services that we could get for them. The thing was that it was not always easy. You had to be very creative, quite often, in what you were able to provide. One instance I can remember was that we had an individual with multiple disabilities that we thought that we were going to have to bring into custody at some stage. We had to work very closely with health in order that we were able to facilitate that if that should occur. Thankfully it did not. That is one of the reasons why when somebody approached me prior to lunch, I did think that this may be a good place for me to go, although I would have initially considered the point of going on as a committee member as opposed to being the Chair. I am not necessarily an academic. I am more of a practitioner. I will probably see things maybe from a different point of view to what others may. Like the others who have stepped up this morning and have said it will be important for whoever comes on to the team with me that we have a good breadth of what needs there are out there. In particular, C.A.M.H.S. (Children and Adolescent Mental Health Services) and children's services in relation to mental health. It does concern me greatly that if we do not deal with this issue in our young people then we will never resolve it coming to the later stages of live. From that aspect, I thank people for their kind comments. I am sorry in a way, but we have ended up in a little bit of a position here, because I do not feel comfortable with it and I am sure the other Deputy does not either. I thank people for putting my name forward and whatever happens I will always do my best. **[Approval]**

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

Thank you very much. We now have an opportunity to ask questions of Deputy Le Hegarat. Does any Member have a question? Deputy Labey.

### **8.1.1 Deputy R. Labey:**

I congratulate Deputy Le Hegarat on her courage and bravery in standing for this at the last minute. It is not easy to do so. I just wonder if in her past experience in the police, *et cetera*, and with the connections to the health service that she mentioned, whether there are immediate improvements that occur to her that might be useful to share with the Assembly.

### **Deputy M.R. Le Hegarat:**

I think there are many improvements that need to be. This being at the last minute... in relation to children and young people, obviously with now having a Children's Commissioner this will help. So, I do think that there are a lot of things that we can do. I would obviously like to just have a look and see what reports have already been done previously in relation to C.A.M.H.S. and other mental health services, not forgetting, of course, there are also the elderly and vulnerable in our society as well, in relation to medical care. I would want to look at all those reports and see whether any of those recommendations have been carried out. If not, why not? Why have they not been carried out? It is only by working together and looking at all of the agencies that we will change the whole thing about mental health and our culture in Jersey.

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

We have to applaud the Deputy for her [**Approbation**] sense of service and duty to the Assembly and ultimately, of course, to the public of this Island. I was on the very first Social Services or Social Policy Scrutiny Panel with Deputy Martin. We were chaired by the former Deputy Bob Hill. We had at that time Health and Social Services, Home Affairs, Education, Social Security and Housing. It was a very long time ago; that was in 2005. It was recognised fairly quickly that that was a portfolio that was far too large for work to be undertaken and to be effective. As a new member, Deputy Le Hegarat has just been elected as Chairman of Health and Social Security Scrutiny Panel and I wonder whether she thinks it may be worthwhile, when the Chairmen's Committee gets together to review the make-up of the scrutiny panels at the moment... Clearly Social Security has not yet been mentioned. I wonder whether she would agree with me.

### **Deputy M.R. Le Hegarat:**

In fairness, I would not disagree with that. Although, not having time to think or prepare myself to any great length, the Social Security side of it just literally fell out of my remit. I will apologise for that, because I do believe that Social Security is as important as Health and Social Services. Obviously, like all of us, we will have family who have, for whatever reasons, not been able to access Social Security or not been able to get their full pensionable rights. From that aspect I would want to have a look at the remit, but would promise the Assembly that I will not overlook Social Security and the essential work that will need to be done to ensure that all of those elements of this particular chair will need to be looked at. So, whatever happens, whether it is deemed that the remit is too large or not, I will ensure that we have sufficient staff and we will make sure that we can look at everything that needs to be examined.

[14:30]

### **8.1.3 Senator S.Y. Mézec:**

It is the same question that I have been asking all the previous candidates. As Chair of this Scrutiny Panel would she be prepared to push for the reconstitution of the Care of Children in Jersey Review Panel, which will need to be set up by the Chairmen's Committee, hopefully as soon as possible?

### **Deputy M.R. Le Hegarat:**



I would definitely say yes to that question. The Care Inquiry had all of those recommendations and the Island needs to ensure that all of those recommendations are completed. Also, I would say that it needs to be completed as expeditiously as it possibly can be.

#### **8.1.4 Senator S.W. Pallett:**

As a new member, I just want to applaud Deputy Le Hegarat's opening speech. I thought it was absolutely excellent, without preparation. As a former States Police Officer, I am sure she understands the need for our services to have fit for purpose buildings, as we now have with the police station, something that they had to wait an awful long time for. Is the Deputy open-minded about a review of the sites for the new hospital?

#### **Deputy M.R. Le Hegarat:**

Interesting. When somebody approached me before the lunchtime and I said yes, maybe I could stand for this particular committee and then it suddenly dawned on me that, yes, it also meant the new hospital. Yes, of course. The thing is the decision has been made that a review needs to be completed. I would be fully supportive of that and also of whatever recommendations that come forward. That now needs to happen and I think that is fully agreed.

#### **8.1.5 Deputy M. Tadier:**

As an aside, and this is not directly to the Member, it is often said that we have too many States Members in the Assembly; it makes you wonder when we struggle to fill some roles that are necessary for us to function. My question to the candidate is: does she have any thoughts on mental health service provision in Jersey, which came up in a lot of people's manifestos? As a scrutiny panel, in particular, does she think that there is any scope for mental health service provision to be reviewed, especially the interactions that it has with the various areas of drug and alcohol, criminal justice, *et cetera*? Would that be something she might be interested in looking into?

#### **Deputy M.R. Le Hegarat:**

I would reply to that: absolutely. The thing is that the one thing that policing in Jersey taught me is that a lot of society's issues, in relation to addiction and mental health issues, need to be reviewed. It is not right and it can never be right that people who suffer with mental health issues and addictions always end up not being able to get what they need unless they end up in the criminal justice situation.

#### **8.1.6 Deputy J.M. Maçon:**

I also congratulate the candidate for coming forward against many other experienced Members who could have done so as well. So, I think it is fabulous. Within that, we know, at times politics can be a particularly lonely job to do in this Island. So, does the candidate have confidence to contact Members like me and other former Chairmen of Scrutiny Panels should she require any advice or support going forward? Does she know that that option is open to her should she require it?

#### **Deputy M.R. Le Hegarat:**

The one thing that 25 years in the police taught me - and I will stop talking about the police soon - is that you can only do something if your team does it with you. There is absolutely no way you can do anything on your own.

#### **8.1.7 The Constable of St. Ouen:**

I would just like to reiterate the House's congratulations for Deputy Le Hegarat. I have had the pleasure of working with Deputy Le Hegarat in another role and I can assure the House that she is a very capable person and ideally suited for the role. My question is a follow-on from Deputy Tadier's question: as a Centenier I have always been concerned that this Island has a way of treating people

who have mental problems by shovelling them through the criminal justice system. I just want some assurance from Deputy Le Hegarat that she will look at this as a matter of some urgency. Thank you.

**Deputy M.R. Le Hegarat:**

Yes. I, like the Constable of St. Ouen, definitely think that that is one priority that we need to make going forward in 2018.

**8.1.8 Deputy J.H. Young:**

I would like also to congratulate the Deputy on both the chairmanship and a fantastic speech, especially without notice. I think that is really exceptional. I am delighted. The substance of my question is: many of us have heard for a very long time serious reports of staff morale problems working within our health services; difficulties in recruiting and retaining staff and even suggestions, which I do not know if they are true, of bullying and intimidation and so on. Will the chairman of the panel give consideration to having a look at those issues, in particular the relationship between those issues and those matters that have come before the States Employment Board, of which there are quite a number?

**Deputy M.R. Le Hegarat:**

Part of the remit of the community role that I did between 2005 and 2009 was to deal with education in relation to policies within the schools in relation to bullying. This is to do with education, clearly, but their policies were all different. The one thing that needs to happen across all States Departments, whether that be Health and Social Services or anywhere else, is that we have clear policies in relation to bullying among staff or any other type of bullying or oppressive behaviour within those working environments. That goes for both internally and externally. I would say, yes, I would, because I think States-wide we need to have policies that are relevant to all.

**8.1.9 Deputy M. Tadier:**

Does the candidate agree that much of the harm that comes from illicit drugs in the Island is due to the very fact that it remains illicit? Would she be open-minded enough to consider a scrutiny review that looks into the cost-benefit analysis of the current policy, from a health perspective, both socially and economically, when it comes to this form of prohibition?

**Deputy M.R. Le Hegarat:**

It is clear the background I come from; however, I have now moved forward. So, if there is something specifically that the Deputy ... his ideas, in relation to the way moving forward, in relation to this, I am happy and open-minded to listen to any contribution by anybody who sits in this Assembly or works within these departments provides me with. If the Deputy has something in particular he would like to bring forward to me, I am always open-minded to see what somebody has to say.

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

Are there any other questions for the Deputy? If not, I can hereby declare that she has been elected as the Chairman of the Panel. **[Approbation]**.

## **9. Chairman, Planning Committee**

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

The next position is the Chairman of the Planning Committee. This is open to anybody who is not a Minister or a member of the Environment, Housing and Infrastructure Scrutiny Panel. I see the light on of somebody who is not eligible. Deputy Young?

**Deputy J.H. Young:**

I would like to nominate Deputy Russell Labey of St. Helier for Chairmanship of the Planning Committee.

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

Is that nomination seconded? [**Seconded**] Are there any other nominations? If there are no other nominations then I ask Deputy Labey to speak.

**9.1 Deputy R. Labey:**

I apologise to Members for occupying so much air time today. I was not expecting to be in this position. I do think it is, as a previous member of the Planning Committee, very important that the chairmanship is taken by somebody with experience. I think it would have been very unfair to plunge somebody without that experience into that position, because it is an extremely difficult committee. When I was first elected to this House, the previous Bailiff asked me: "What are your ambitions, Russell? Where do you want to go?" I said: "Well, I would like to sit on the Planning Committee." He said: "Well, that will be a doddle; no one else wants to do it." It has the slight fear of being career death. However, it is, in fact, the most rewarding committee to sit on, in my experience. You can have a direct influence in making people's lives better within an afternoon. It is unusual in politics that you can have such a swift influence in helping people. There are planning applications that are clearly not going to be acceptable and they do not go anywhere. There are planning applications that breeze through the process and there is not a problem with them. There are planning applications where there are grey areas. That is where the Planning Committee comes in; to determine and adjudicate on those applications with grey areas or where the department makes one decision, the applicant makes another and wants to appeal to the Planning Committee or where an application receives so many objections that it is fair to have it determined before the committee. As I am the only candidate, I am just addressing new Members here, because we are going to need new Members on the committee. I am very much hoping that the previous members of the committee will serve again on it. We are quorate at 3, but we need to have more Members than that, because you do not determine applications that are in your own electoral district. So, very often people have to recuse themselves. As I say, it is quasi-judicial function and with that there are protocols and there are codes of conduct that one has to strictly adhere to. It is difficult in a small community, because one might not have personal relation to somebody, but there are connections within connections and very often one is familiar and known to the applicant or the opponents, so one has to get used to, in this job, saying I cannot talk to you about that. I have had it in this Chamber, where the applicant, myself and the others on the committee knew that we would not talk about that thing in this Chamber or anywhere else. You get phone calls and you get emails and you have to say to whoever it is: "I am unable to converse with you on this," because what we have to do on the Planning Committee is ensure a fair process. The ultimate aim is to ensure that the applicant or the opponents of the application go away from the process, either happy or disappointed, but comfortable and satisfied that they have had the fairest possible hearing. This is very important. You are called upon to make a judgment on the spot at a public hearing and give your reasons for it. You have to learn and get very, very familiar with the Island Plan. It is easier than you think; although it is a big document you get to know it pretty quick. We do not take a view on what the Planning Law should be, we take a view on what the Planning Law is and how it is interpreted. Where we come in with the grey areas, there is balance to be applied, either in favour or against the application. It is up to the individual member of the committee to weigh that balance and make a decision. It is hard. There is very often a huge contingent of people for one application against a single person or *vice-versa*. It is hard, but you have to be completely objective in that. It is tough. It is 2 days a month. On the Tuesday of the week in question, the Planning Committee meets on the minibus and the director drives us around to every single site that is under question; every single site that we will be making a determination on.

[14:45]

We visit that site. We do not take representations at the site visit. It is just for us to hear the case from the planning officer, whether the department is approving or refusing the application. We take a look at it for ourselves. We take representation from relevant officers, for instance the Historic Environment Department, or what have you. That is on the Tuesday. Wednesday is set aside for reading. The Thursday we make determinations in a public forum, where the applicant and the opponents are allowed time to put their case. There is a 'yellow pages' every month to read of all of the case documents for each application. So, there is some reading involved. This Planning Committee was the first one to operate within the new rules of the Planning Department. We have been - I say this with immodesty, but the figures bear us out - a success. For example, in the last year we determined 109 applications. The applicant or the opponents have the right to go to a third party appeal, adjudicated on by an independent planning inspector. They pay for that privilege. Of the 109 applications that we did last year, 19 were taken to appeal. Of those, 12 are already upheld; our decision on the Planning Committee upheld by the independent planning inspector. Three were overturned and 4 are still to be determined. That is roughly the pattern over the last 3 years. It is true to say that the Planning Committee of 2014 - 2018 have a very good track record of determining applications that are upheld if they go to third party planning appeals. A minimum are overturned. That is Planning; there is no black and white in some areas, it is very often grey. At this point, all my comments are directed to people who may be considering joining the Planning Committee. We are going to need 3 or 4 more. I am very, very hopeful that people with experience will stay on the committee. Passing on experience, in this difficult role is very, very important. At this point, I would like to say something that could be dismissed as protocol, but I want the Assembly to know that this is heartfelt, sincere and very important. The Planning Committee of the last 3½ years has been led, quite exceptionally, by the former Constable of St. Mary as Chairman and the current Constable of Trinity as Vice-Chairman. **[Approbation]** The former Constable of St. Mary was the grand dame of the panel. She had many years' experience on it. She was extremely, extremely careful and democratic and decisive and honest in her decisions and her directions to the panel. She taught us, the newbies, so much. The Constable of Trinity was a newbie, but within an hour of the first session of the last panel, you knew he was going to bring such expertise, such great judgment to the Planning Panel. He was an incredible asset. I hope one day we might be able to bring him back on to it. I hope that has been clear to Members and I thank you for your time. **[Approbation]**

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

Thank you very much. Now we have 20 minutes for questions. Deputy Tadier?

**9.1.1 Deputy M. Tadier:**

I enjoyed listening to that. Clearly, the candidate is passionate about Planning and he told us that, like architecture, being on Planning is somewhere between a science and an art and that it is not always black and white. I would like to think that when he finally publishes his memoirs it might be called "*Grey Areas: My Life in Jersey Politics*," but we will have to wait for that. Does the candidate agree that there is scope for the Planning Committee, much like the Public Accounts Committee already does, to have lay members of the public who sit on it? It may become necessary anyway if there are not enough Members who put themselves forward for it. However, is there any scope or any benefit to having members of the public who can sit on those decision-making bodies, who are not politicians, and therefore not susceptible to political considerations that politicians might be?

**Deputy R. Labey:**

Thank the Deputy for his question. Of course, any member of the public can make representations to the Planning Committee at a public determination. They are free to do so. I am not ruling this out, I say to the Deputy, but my feeling is that publicly accountable people should step up and make

these decisions. It is probably not fair to do that with lay members. That is my position at the moment.

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

Does any other Member have a question? Deputy Maçon?

**9.1.2 Deputy J.M. Maçon:**

I wonder if the candidate could give his views on the importance of a balance between country and urban representatives on the panel and does he feel that that is essential for a well and balanced and good-functioning Planning Committee?

**Deputy R. Labey:**

Very possibly. I have to say, and I think I might have said this to the Assembly before, that leaving one Planning Committee meeting I turned to my colleagues, as we were walking to the car park, to say: "This is brilliant. I really enjoy this. It is difficult; every planning decision has at least 2 sides, sometimes 3." You are never going to make 100 per cent friends. You are always going to have people who are unhappy with you; always. However, this committee, made up of the former Constable of St. Mary, the current Constable of Trinity, Deputy Wickenden, Deputy Rondel, Deputy Maçon, Deputy Truscott and myself, all colours of the political spectrum are not necessarily political bedfellows. I left a meeting of the Planning Committee saying how fulfilling I felt this experience was, because it was so good to learn from other people and listen to their views and to respect them and to have your views listened to and respected. Whatever happens one has to make an individual decision on this committee. Then we vote and whoever comes out with the majority either gets their application or does not. I said to my colleagues: "This is fulfilling, because it is educational and it is respectful and 9 times out of 10, it seems, we are making the right decision and it is across any kind of political borders." I think it was Deputy Maçon who said to me: "Yes, Russell, and that is exactly how every States department, government, committee should run. That is exactly how it should be." I have probably strayed from the original question, which escapes me, but that is my feeling.

**The Bailiff:**

Deputy Maçon?

**Deputy J.M. Maçon:**

I am quite happy with that response. Thank you.

**The Bailiff:**

You are happy with that response. Are there any other questions? Deputy Wickenden?

**9.1.3 Deputy S.M. Wickenden:**

I would just like to ask the Deputy: does he agree that sometimes you have to look at a broader social and economic benefit for planning applications not just the hard line of the Island Plan?

**Deputy R. Labey:**

There are a myriad of factors that come into play when determining an application for which there are very obvious grey areas. That is why the application is before the Planning Committee. However, it is important to put a different hat on when one is determining applications. You put your Planning Committee hat on in a quasi-judicial function and you interpret the law as it is written. The committee also has a compulsion to, at the end of the year, write a report and suggest to the Minister various anomalies in the Planning Law which might be useful for the Minister to address. It is very emotional at times. You get a very emotional argument at times with planning applications. One has to take in

individual circumstances, that is why one is there. One has to balance the arguments within the law. It is where weight is applied to either side that is important and where you come down on.

**9.1.4 Senator S.C. Ferguson:**

I would like to ask the proposed chairman: is it possible that the Planning Committee will make sure that decisions, as advised by Planning Officers, follow the Island Plan?

**Deputy R. Labey:**

Yes, of course. It is interesting that the Senator should rise. I do not know whether she has read the Planning Committee's report that has been filed, but one of our recommendations is that consideration needs to be given to the area of St. Brelade's Bay, because it is very, very tricky. Taking my Planning Committee hat off and speaking as a Member of this Assembly who is interested in Planning, it seems obvious to me that an area like St. Brelade's Bay should have some sort of status, should have a plan, should have maybe - a new thing for the Island which I think should come along - conservation area status, so that there can be guidance and uniformity of new design in St. Brelade's Bay. It would help the committee's proceedings if there was that guidance in statute.

**Senator S.C. Ferguson:**

May I have a supplementary, Sir?

**The Bailiff:**

Yes.

**9.1.4.1 Senator S.C. Ferguson:**

Thank you. Given that there have been 2 States decisions in 2011 and 2014 for a long-term development plan to be devised for St. Brelade's Bay, would the candidate like to comment on the fact that the Planning Department has avoided supporting it?

**Deputy R. Labey:**

I think the Senator has made her point. I see that the Minister for the Environment is in the Assembly; I am sure he will have taken note of it.

**9.1.5 Deputy J.H. Young:**

In view of the questions of Deputy Wickenden, I would ask the chairman to confirm that it is his understanding that the decisions of the Planning Committee are required to be made strictly in accordance with the Planning and Building Law. That means in accordance with the Island Plan, which is agreed by this Assembly, and that decisions, obviously taking into account all material considerations, in that, that duty is there. It important that that is maintained, because all decisions that would depart from that are subject to legal challenge. I would just like to ask the chairman to confirm that what I have said is in lay terms correct.

**Deputy R. Labey:**

Yes. I think I have already made that clear.

**9.1.6 Deputy S.G. Luce of St. Martin:**

I was about to ask exactly the same question about planning consideration, so I am grateful to the Deputy for clarifying that it is only those considerations that are taken into account. I will take the opportunity to ask the Deputy: does he agree with me that we reduce the protection for the green zone at our peril?

**Deputy R. Labey:**

Could I just ask the Deputy just to repeat the last bit of his question, reduce the green zone ...

**The Deputy of St. Martin:**

Planning protection for the green zone.

**Deputy R. Labey:**

At our peril. Yes, I agree. The green zone must be sacrosanct. I repeat, as a Planning Committee, we have to work with the law that is in front of us. There are interpretations to be made, there is balance to be applied, but we have to work and be very cognisant of the Planning Law. I think it is true to say that the past committee has done that very strictly and certainly within relation to the Green Zone Policy.

[15:00]

**9.1.7 Deputy J.M. Maçon:**

While the chairman is correct that the Planning Committee should be making decisions with the policy of the Island Plan, can the chairman confirm that the Planning Law does allow for the committee from time to time to make decisions which are in conflict with the Island Plan, such as the example of when we established a farm in the green zone, because sometimes there are policies that clash and it is for the Planning Committee to make those decisions? So, not each and every decision will be entirely in keeping with the Island Plan, but the committee is given that right on behalf of Members in order to resolve those situations and can at times make decisions outside of the Island Plan, in accordance with the law.

**Deputy R. Labey:**

Deputy Maçon is the most experienced member of the Planning Committee in this House. I am grateful for him for coming to my rescue on this. He is absolutely correct.

**9.1.8 Deputy J.H. Young:**

Sorry, I just need to clear this up. Could I ask the chairman to advise that when the committee sees issues where those decisions are difficult and involve this sort of conflict, will the committee take the opportunity to ask for legal advice so that it can be provided to the committee? I ask that having attended meetings myself and have often seen occasions when these issues arose and we had barristers on one side and no legal advice on the committee's side. Would the committee think about whether or not there would be occasions that you might seek to ask the Law Officers for advice? Before you answer, I should add I have already spoken to Law Officers on this point. So, could you consider my question?

**Deputy R. Labey:**

I have been in the same position as the new Minister for the Environment, in that, again taking my Planning Committee hat off, I have made representations to the third party appeal system with La Collette and Gas Place thing. It is very good to see and very evident, most of time with third party planning appeals held by a U.K. independence planning inspector, that the inequality of arms that often occurs in these cases - because applicants or opponents have not the means to hire expensive lawyers - is taken into account, very clearly, by the inspector. I would like to think that if there is any decision, any difficulty possibly arising from an inequality of arms of the Planning Committee we very often use the tool of deferring. We do not have to approve or disapprove or reject, we can defer an application and get these matters cleared up. If there is any more information that the Planning Committee requires to make a safe determination, the Planning Committee will always ask for it.

**9.1.9 Connétable L. Norman of St. Clement:**

The Deputy said that the green zone is sacrosanct. Under his chairmanship will that also include the green zone situated in St. Clement?

**Deputy R. Labey:**

Yes. This House has decisions to make on the green zone, with the forthcoming Island Plan. It can reinforce the green zone protection or it can relax the green zone protection. I think very often the Planning Committee is bypassed, for instance on the recent St. Peter thing. The Planning Committee has not been party to that. It has gone straight to a public inquiry. It is a big one that one. So, it is not coming to this Assembly. It is not coming to the Planning Committee. On direction of the Minister, in accordance with the law, it has gone to a public inquiry and could then be approved by the Minister. I just wanted to point that out.

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

Who did you say makes the decisions on the Island Plan, Deputy?

**Deputy R. Labey:**

This Assembly.

**The Bailiff:**

Thank you. I thought you said that. Excellent. Connétable of St. Clement?

**9.1.9.1 The Connétable of St. Clement:**

Yes, just to clarify. In that case, was the Deputy's comment that the green zone is sacrosanct was not accurate?

**Deputy R. Labey:**

My impression of the members of the panel is that we were very, very, very careful with the Green Zone Policy; very, very careful. However, no application that comes before us is black and white. There are grey areas. The policy about the agri-tourism application in St. Lawrence that came before us, we had a lot of representations, we had representations from Ministers asking us to approve the application. There are always going to be difficult decisions. It is a difficult job. It is a rewarding job, but it is a difficult job. That is why an application will have come before this committee, because it is difficult, it is controversial, there are opponents. We do our best to interpret the law, to apply the balance and weight, and to make a determination. Then, of course, it is open to the opponents or applicants to take our decision, if they strongly disagree with it, to a third party appeal. History tells us in the last 3½ years that most of the Planning Committee's decisions will be upheld by an independent inspector in a third party planning appeal system.

**9.1.10 Deputy M. Tadier:**

I suppose, to cut to the very heart and philosophy of the *raison d'être* of the panel, can I just ask: do we need a Planning Applications Panel if the purpose of the panel is simply to apply the Island Plan and the relevant bylaws for building? We can say that there will be grey areas in any decisions that are made by any States department, whether it is to do with the Population Office or the Social Security Department, but those others who make applications and have them turned down or endorsed in those areas do not have the ability to go to a panel of States Members. Why is Planning singled out for any difference? Or are we just making jobs for States Members, when they could be doing other work?

**Deputy R. Labey:**

At the end of this parliamentary session, very unusually we had an email from the Jersey Architects Association to those of us that have sat on the Planning Committee, to congratulate us on our work



and to thank us. I think the email said that they very much hope that as many of us as possible would be back doing the same job. Individually, we have received similar emails from architects and others, not parties in an appeal, thanking us for our work. In general, I have to say, of course there are people that leave our process disappointed because they do not get their planning application, but it is a fact to say that in the majority of places we have made a decision that seems to have gained approval from the professionals. We are helped enormously by the incredibly professional staff of the Planning Department and the Planning Director. His Planning Officers have excelled themselves recently in public inquiries. They are always excruciatingly fair in their dealings with us and in how they present their cases. Often it is our job to overturn them. Nobody takes it personally. Very often by overturning it, by finding something, a third way, in the law that can help us to help people, we can very often improve people's lives. We can often grease the wheels of common sense.

**The Bailiff:**

That is it for questions, thank you very much. Deputy Labey is appointed as Chairman of the Planning Committee. We next come to the appointment of Chairman of the Jersey Overseas Aid Commission. I invite nominations.

**10. Chairman, Jersey Overseas Aid Commission**

**Senator J.A.N. Le Fondré:**

Yes, I am delighted to nominate the Deputy of Grouville as Chairman of the Jersey Overseas Aid Commission. She has very capably held the role for the past 3½ years and, obviously, has served on the Commission for many years longer. I am delighted to commend her to the Assembly. Thank you, Sir.

**The Bailiff:**

Is that nomination seconded? [**Seconded**] Are there any other nominations? Very well, Deputy of Grouville?

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

Last but not least. I am putting myself forward for a second term as Chair of Jersey Overseas Aid. I very much hope I can count on your backing. My case for re-election as chair is simple: Jersey Overseas Aid has undergone a sea of change for the better over the last few years, but we can improve it still further. Having come this far, I am seeking your blessing to finish the job and build on it yet further. However, to explain my vision it is worth quickly reiterating, especially for newer Members, why we as a Government give aid. Many of you might understandably wonder what Jersey gains from helping alleviate poverty in developing countries, especially while there are undoubted needs at home. If we understand the reasons and the benefits we can see more clearly where we need to go over the next 4 years. First, we give aid because it is morally right. Yes, there is also poverty in Jersey, but we are one of the wealthiest places in the world, how we carve up that cake is up to us. Every child here grows up with a roof over their head, food on the table and access to free childcare, education and justice. Meanwhile, almost a billion people in the world are malnourished, 2 billion people lack access to basic sanitation services and over 5 million children die before their fifth birthday every year. Second, we give aid because all wealthy, civilised jurisdictions do. Despite being below the O.E.C.D. (Organisation for Economic Co-operation and Development) average, our aid allows us a seat at the table as a credible international actor. We cannot in all honesty hold ourselves out to be an international finance centre, an international anything, if we fail to meet our international responsibilities. Our aid is an expression of our international identity: generous, outward-looking and responsible. As part of the U.N.'s (United Nations) Agenda 21, we are

committed to reaching the international target of spending 0.7 per cent of G.D.P. (Gross Domestic Product) on aid. Third, it is not why we do it, but it is an undeniable fact that our aid improves our image. I will come back to this theme in a moment, but I will just say, which you all know, but which not everyone in the world seems to, that there is so much more to our Island story than finance. Jersey needs friends in the world and different strings to our bow. If we are only known as an off-shore finance centre our options are much more limited. Fourth and finally, our Government-organised aid work helps our own community. Almost 1,000 Islanders have been on one of our overseas trips since 1972. For many this has been a life-changing experience. We have also helped forge links between people in Jersey and communities all over the world, to the lasting benefit of both. Additionally, every year our new internship gives someone from Jersey the chance to kick-start a rewarding career in international development. We may be a small island, but Jersey Overseas Aid helps to keep us from being insular. I submit to you, fellow States Members, that our aid programme is very important. What do these reasons mean for the future? If we give aid because it is morally right, it means that we need to ensure it is as effective and efficient as possible. If we give aid to meet our international obligations and to show the world that Jersey is compassionate, co-operative and competent, then we need to ensure we are recognised for doing it really well. Lastly, if we give aid because of the opportunities it provides for Islanders and Jersey as a whole we need to ensure that its value to Jersey is maximised.

[15:15]

I have made progress on all these fronts. I have instituted over 20 reforms to Jersey Overseas Aid since becoming chair last election. Nowadays new development projects are selected empirically against internationally recognised benchmarks and good practice. We have focused what we do in fewer countries chosen for their needs and a relative lack of corruption; and also focused on fewer sectors, like dairy and financial inclusion, where Jersey has expertise and can add real value. We concentrate relentlessly on impact and results. We now do larger, longer-term projects, which are more effective, better value for money and easier to monitor properly. We employ specialist staff who have spent their careers at the sharp end of aid projects in Africa, Asia and the Gaza Strip. Their experience and expertise help us to select the best projects and to hold grant recipients to account. Meanwhile in Jersey we are increasing the opportunities for Islanders to make a difference themselves. In addition to our popular community work projects, we have launched an annual internship programme to give Islanders the chance to develop careers in this rewarding field. We have increased our support to the amazing Jersey-based charities, like Durrell and the R.J.A. and H.S, as well as smaller ones that work overseas. People around the world are starting to take notice. Nowadays, literally millions of people know us, not for our trust laws, but for our dairy cows. It has to be said, probably our greatest ambassador is the Jersey Cow. We are transforming milk production in Africa. We do not just give aid, we are gaining an international reputation for the excellence of our international development programmes. The U.N., for example, has written about our sophisticated support for Syrian refugees. Comic Relief has beaten a path to our door to partner with us on new projects in Africa. We are now active members of Bond and the U.K.s main international development network. Last year, we were invited to address 80 N.G.O.s (non-governmental organisations) on the ways our aid is becoming more effective. Put simply, our aid now saves more lives, is more respected internationally and is better value to taxpayers. However, there is still much more to do and yet more we can achieve. If you elect me for a second term, I pledge to achieve the following 4 things: further improve Jersey Overseas Aid accountability to you, the States; further improve the effectiveness of our international aid and its value to the world's poor; further improve Jersey Overseas Aid value to Jersey, particularly in terms of opportunities it provides Islanders and in terms of Jersey's reputation as a force of good in the world. Lastly, I will set a vision of how we can promote Jersey as a centre of philanthropy. I firmly believe that the professional, effective and internationally respected aid programme benefits the Island enormously, as well, of course, as the

huge benefits it brings to the less fortunate than ourselves. I very much hope you will let me complete the job I have already started. Thank you. [Approbation]

**The Bailiff:**

We have 20 minutes of questions. Deputy Tadier?

**10.1.1 Deputy M. Tadier:**

The candidate noted the fact that Jersey is a wealthy Island and she defended - I think correctly - the fact that we should be committed to overseas aid. We are, through the U.K., signed up to Agenda 21 of the Sustainable Development Agreement, which requires us to pay 0.7 per cent of our G.D.P. to overseas aid. Currently the figure is 0.27 per cent. First of all, do we have any choice and did we have any choice in having to sign up to that agreement? If we are signed up to it, at what point will we get to the 0.7 per cent G.D.P. or is it simply something we have no aspiration to do?

**The Deputy of Grouville:**

Personally, I have an aspiration to increase it. It has been quite difficult, which is why if I am successful in being a Minister with the remit of whatever it ends up being called, International Relations, and Jersey Overseas Aid comes under me I will at least have a seat at the table where budget is discussed. The Deputy is quite right, we are signed up to Agenda 21 and it is our aspiration to increase that budget slowly but surely, obviously, to 0.7 per cent. There are countries like the Scandinavian countries, as you can imagine, that exceed the 0.7 per cent. Norway, I think, is 1.2 per cent and civilised countries vary in their giving. Quite interesting, America is 0.19 per cent. So we are certainly not the worst. I think in actual fact we do not do too badly and our aid is given based on need, absolute need. We do not expect to get anything back from that, as some of the donor countries would look to.

**10.1.2 Senator L.J. Farnham:**

May I congratulate the Deputy of Grouville on her reappointment and I am sure Members will be delighted that she can continue with the excellent progress made over the last 3½ years. My question she has partially answered when she said if the Overseas Aid Commission is joined with the new International Development, or whatever the new ministry is called, is it her intention to integrate the 2?

**The Deputy of Grouville:**

I would not want to integrate Jersey Overseas Aid with it. Jersey Overseas Aid has to be bullet-proofed because what I would not want to do is allow any form of foreign policy to influence the aid we give. We have a specific formula on how we give aid. We give aid based on need, where the country is in the H.D.I. (Humanitarian Development Index) index and I think we are one of the first donor countries to take corruption of that particular country into account. Our aid is given on absolute pure need and I would not want to mix it in with political influence. Now, the Commission has 3 non-States commissioners and 3 States commissioners. Obviously the States commissioners are there to ensure that the taxpayer is getting value for money in the ways that I have described and we are maximising what we give, and the non-States commissioners are there to ensure that we are free from political influence. The international ministry could sit alongside and they could both add value to one another. Obviously our contacts in Jersey Overseas Aid are vast, global, so that would benefit, I am sure, a Minister for International. I could go on into the sort of vision for this but I will wait for more questions.

**10.1.3 Connétable C.H. Taylor of St. John:**

I congratulate the Deputy of Grouville, not just for being re-elected but for the work she has done over the last 3 years. Can the Deputy confirm and agree with me that what Jersey does is more of a

hand-up than a handout, and this is why it is having lasting affects in the countries in which we give the special aid.

**The Deputy of Grouville:**

Yes, absolutely. We like to allow people to help themselves. The world of aid is changing, it is no longer of benefit to anyone to rock up and impose on a community what we believe that they need. We like to work with the communities, as we are with the R.J.A. and H.S. project, and allow communities to help themselves.

**10.1.4 Deputy J.M. Maçon:**

I would like to congratulate the Deputy of Grouville and also the officers that work with her, because they have done a huge amount of work, particularly with the apprenticeship, which I believe is going very well. I wonder if the Deputy could outline for us her fourth ambition, which was Jersey as an Island of philanthropy.

**The Deputy of Grouville:**

Yes. Well, this was my vision of what I hoped to achieve and I will work towards over the next 4 years. It seems to me that what we have to do over here is join up the dots. We have a lot of charity work, we are a very generous Island as the Bailiff will know when he launches his appeals we get huge amounts of donations. So we are a very philanthropic Island anyway. We have projects like the Jersey Cow, Durrell, the corporates do the C.S.R. (Corporate Social Responsibility) programmes, so we have the will, we have the expertise, I believe, we have the financial infrastructure and we also have the development aid experience, and what I would like to do is join up all these dots. Has anyone wondered why all the philanthropic trusts like the Gates Foundation all gravitate to Switzerland? To my mind there is no reason for this. We need to go out and get them. We go out and get financial services or we target different areas. What I would like to do is go out and target philanthropic trusts because we have all of the infrastructure here so that we can start promoting Jersey as a centre for philanthropy. Thank you.

**10.1.5 Deputy K.F. Morel:**

I know the Deputy said that we do not expect anything in return for Jersey's overseas aid but does she feel that there may be scope for relationships of mutual benefit, for instance in terms of skills exchanges in areas like the digital sector where many developing countries have enormous talent but in different areas to the pools of talent we have here? Potentially through exchanges we could grow through each other.'

**The Deputy of Grouville:**

Absolutely. We have been running our community work programmes for 50 years now and I will give myself a plug, or give Jersey Overseas Aid a plug, if you would like to go down to the museum we have our 50-year exhibition running there. The community work projects have been very, very successful. In fact we have a group in Mongolia at the moment. However, also what we want to do, if people over here have a specialist skill like dentistry, to sponsor those skills in a particular community so that they can train them up and most certainly if third world countries have skills that we need. This might come into the international ministry as opposed to Jersey Overseas Aid, which is why I was describing that there was going to be hopefully mutual benefit, but, for example, our farmers over here, the agricultural industry, are desperately looking for labour. If they do not source a country to get their labour from in probably 18 months' time they are going to be trouble. I feel we have the worldwide networks to have a look at labour pools. The Nepalese work incredibly hard - I just use this as an example - their land is like that, just like our cõtils, and at the moment a lot of the Nepalese go to Dubai and work in the most appalling conditions. Well, why not here? Obviously

there would be issues to overcome like working visas and stuff like that, but certainly this is the sort of thing I would like to look at.

[15:30]

**10.1.6 Deputy J.M. Martin:**

Can the Deputy remind the Assembly the administration cost of running Jersey Overseas Aid, also if that is taken out of the 0.27 per cent and her thoughts on this?

**The Deputy of Grouville:**

Yes, it is taken out of the 0.27 per cent. We are very, very frugal on Jersey Overseas Aid because at the back of our mind all the time is if we spend anything then that is worth a child's education or that is worth something else. That is how we tend to look at things. It really does make you think about things. Our current overhead costs are 3 per cent. Usually in the O.E.C.D. countries, I believe, it is 7 per cent, so given that we do not even have the economies of scale over here I think that is really good. We are helped to some extent, we are given a cupboard - I joke - at the bottom of Cyril Le Marquand House, it is a funny shaped office that nobody else wants and we get our 3 staff in there. We are helped along the way but, yes, the 3 per cent does come out of our grant giving budget.

**10.1.7 The Connétable of St. Ouen:**

If I could join the other speakers in congratulating the Deputy of Grouville for her appointment. I am also aware of the good work of the Overseas Aid Commission through other means. If I could just question her on one point. She mentioned about using the level of corruption as one of her criteria for judging a country. My point is this: those countries that had very high levels of corruption, also because of the nature of that corruption at times, are those countries that have the greatest level of suffering. I am thinking of Ethiopia in that context. Is it not possible to find a way of helping these countries? I understand that corruption could possibly be a problem in that respect but nevertheless perhaps a problem that is worth overcoming. Could the Deputy perhaps comment on that?

**The Deputy of Grouville:**

Ethiopia is one of our countries. We could help different places 10 times over, 20, 100 times over but what we have tried to do is focus on particular countries where we can have a greater impact, rather than just going globally. What we want to do is learn about those countries, form a relationship with them, understand their culture, how they work and to us, running bigger projects in less countries across the world is a better way of doing things. Obviously those countries have to be at the bottom 50 of the H.D.I. anyway so this particular form ... in fact we are looking to probably reduce the amount of countries we are in down even further. In the round I think it is a good way of doing it. Obviously there are people to help in the very, very corrupt countries as well, yes.

**10.1.8 Senator S.C. Ferguson:**

The Deputy stated that we are signed up to Agenda 21. Could she please explain what this is and what are the implications?

**The Deputy of Grouville:**

Agenda 21 is a document where civilised countries are signed up to it and they are based on the sustainable development goals, which were the millennium goals, and it is where civilised countries come together and feel just because they have been lucky enough by dint of their geographical situation in the world they look to help those less fortunate.

**10.1.9 Deputy M.R. Higgins:**

I believe the Deputy mentioned that we were giving aid to Palestine or Gaza or that area. Could she please elaborate on the aid and some of the problems she is having in that area?

**The Deputy of Grouville:**

I did not say that, I did say that one of our staff members had worked for sometime on the Gaza Strip. We have just identified a project whereby we are helping in Gaza but just to show how non-political we are, we also have a project going in Israel as well, at an eye hospital in Jerusalem.

**10.1.10 Deputy M. Tadier:**

Is it not dishonest of Jersey to sign up, albeit indirectly via the U.K., to Agenda 21, which is a non-binding action plan from the U.N. when we know that the economic reality in Jersey is that we are never going to get to the 0.7 per cent of G.D.P. that the U.K. and other countries are already signed up to and meet? Should we just say we cannot be part of that but we will do what we can in terms of the monies that we are currently giving and seek to provide funds accordingly?

**The Deputy of Grouville:**

No, I think it is something that civilised countries aim to do and in prosperous times we could look to increase that slowly but surely, as I have indicated. I do not see what is wrong with measuring our giving on that particular index. As I said before, the aid that we do give, we do not give aid into, for example, Nigeria in exchange for a wood contract. What we give is through N.G.O.s, it is based purely on need and it is through N.G.O.s not through Government.

**10.1.10.1 Deputy M. Tadier:**

A supplementary. With that in mind, would the Deputy be minded to bring a proposition during the term of this Assembly to increase Jersey's contribution to 0.7 per cent of G.D.P., given the fact she said we are a wealthy Island and that we would not want the embarrassment of having an agenda that we are signed up to but which we are not meeting?

**The Deputy of Grouville:**

Most countries do not meet it. It is an aim. As I have said, some of the Scandinavian countries are beyond it but, no, I think it is a good aim to have and it is up to those particular countries. I have, in the past, not had a seat around the Council of Ministers so I do not know how and when it is appropriate to come forward and ask for that increase, but it is something I believe that we should be aiming to do. It used to be 0.25 per cent, it is slowly creeping up and it is an aspiration, as it is with all civilised countries.

**The Bailiff:**

If there are no other questions, then I will congratulate the Deputy of Grouville on her appointment as Chairman of the Jersey Overseas Aid Commission. **[Approbation]** Senator Moore, I understand that you wish to proceed with nominations of panel members to the Corporate Services Scrutiny Panel?

**11. Members, Corporate Services Scrutiny Panel:**

**11.1 Senator K.L. Moore:**

Thank you. I would be delighted to do that if Members would allow me that, please. I would very much like to propose the Constables of St. ...

**The Bailiff:**

Can I ask you first how many members you want?

**Senator K.L. Moore:**

Yes, of course. I would like to propose 4 members for this panel. I believe that we have a lot of work to do and it will be a matter of all hands to the pump. I would therefore like to propose the Constables of St. Peter and St. Martin, Deputy Ahier and Deputy Perchard.

**The Bailiff:**

Is the proposition seconded? [**Seconded**] Are there any other nominations? Very well, then I can declare those Members appointed to the panel. We seem to have finished the end of the agenda.

**Senator L.J. Farnham:**

Can I propose the adjournment?

**The Bailiff:**

The adjournment has been proposed. We now stand adjourned until 9.30 a.m. on Tuesday, 12th June.

**ADJOURNMENT**

[15:40]