

4. Questions to Ministers without notice - The Chief Minister

The Bailiff:

Very well, we come to the end of the first session of question time and we now come to the second question period which is for the Chief Minister.

4.1 The Deputy of St. Mary:

We have learned this morning that paragraph (e) of the terms of reference of the Napier Report was communicated to Napier by the Chief Minister's Department but paragraph (d) was not communicated to Napier by the Chief Minister's Department. Can I ask the Chief Minister, was it himself or his Chief Executive, or his Deputy Chief Executive who decided not to send paragraph (d)?

Senator T.A. Le Sueur (The Chief Minister):

Sadly, there is still a misunderstanding here. The terms of reference in full: (a), (b), (c), (d) and (e) were all known to Mr. Napier. His reports did not include paragraph (d) in his findings for reasons which have already been suggested, but there was no question of any malfunction or anything in this. The whole of the original terms of reference were known to Mr. Napier when he was appointed.

4.1.1 The Deputy of St. Mary:

Can I ask a supplementary? States Members and the public did not know that the terms of reference were anything other than (a), (b) and (c) because it had been left off the R. Mr. Napier's own report has (a), (b), (c) and the original (e), renumbered as (d), so how did Mr. Napier know that there were 5 terms of reference when he had 4, omitting (d), and the public had 3?

Senator T.A. Le Sueur:

Report R.39 contained 3 terms of reference. The original proposition contained the 5 and the 5 were known to Mr. Napier when he produced his report. We seem to be more hung up over the lettering of the terms of reference than the content of the report.

4.2 The Deputy of St. John:

In December I put a question to the Minister re the Health Reciprocal Agreement and he gave Members an answer that it would be in place by the end of December. Can the Minister tell us when it will be in place with the United Kingdom Government please?

Senator T.A. Le Sueur:

I am as disappointed as the Deputy of St. John that the agreement is not in place now. I understand that the agreement has gone through all the relevant U.K. channels and is only a matter of agreeing and signing, but clearly the U.K. Government officials are similarly under pressure, just as we are in Jersey, and that is being done at the earliest possible opportunity. I hesitate to give a second date when the first one clearly was not delivered. All I can say is I remain optimistic that it will not be long before that agreement is fully signed and in force.

4.2.1 The Deputy of St. John:

Supplementary, Sir. Given that a question was asked by Lord Kennedy of Southwark in the House of Lords on 17th January and the reply he got from the Parliamentary Under Secretary of State at the Department of Health, Earl Howe: "The United Kingdom expect to conclude a Reciprocal Health Agreement with Jersey in the first quarter of 2011." That being the case, how come the Minister and his Minister for Health are not up to speed on all these particular things? This is in the public domain. Will he please give us a reason why he is not up to speed with this area? This is a most important issue for many, many people within this Island, including my

own family, where people are having to travel off-Island without insurance. Could the Minister please give us much better information?

Senator T.A. Le Sueur:

I am fully aware of the intention to conclude this agreement in the first quarter of 2011. I just said that I was hesitant to give a firm date, even if that was 31st March, when I have been proved wrong once. But certainly I confirm that the information contained in that House of Lords response is consistent with the information which I have, and which the Minister for Health and Social Services also has and has endeavoured to convey to States Members.

4.3 Deputy P.V.F. Le Claire:

It could not have escaped anybody's attention that Libya has descended into an absolute state of chaos with Colonel Gaddafi and his security forces allegedly committing human rights atrocities of a despicable nature. Will the Chief Minister join with me and the Assembly in utterly condemning these types of actions and inform Members as to what actions, if any, are being conducted at the moment in respect of the Jersey Financial Services Commission in isolating any of these funds from this man's access in Jersey?

The Bailiff:

The conduct of foreign relations is not a matter for the Chief Minister but the second part of the question which relates to the Financial Services Commission perhaps just comes within the ...

Senator T.A. Le Sueur:

I am responsible for making Orders should sanctions be required and certainly at the moment Jersey is currently introducing restrictive measures against people involved in the former regime in Tunisia and is closely looking at the situation in Libya, which is still in an unfolding situation. So, yes, there is an indication that we will follow standards in Jersey at least comparable with Britain and the European Union.

Deputy M. Tadier:

May I ask a point of order, because I had a written question I think disallowed on the same grounds? Are the Chief Minister's comments correct, because he is responsible for imposing sanctions he can answer questions relating to international policy, or is that simply if they just relate to other sanctions or to funds which are held in Jersey *et cetera*?

The Bailiff:

The Chief Minister has to answer questions on matters for which he is responsible, which would include in appropriate cases the question of sanctions, but does not include the conduct of foreign policy on the Island because that is a matter which is conducted by Her Majesty's Government in the United Kingdom.

Deputy M. Tadier:

And if sanctions are being brought about because of the conduct of that international country then ...

The Bailiff:

Members are entitled to ask about sanctions.

4.4 Connétable J.LeS. Gallichan of Trinity:

Does the Chief Minister agree that due to public concern now is the time to undertake a review of all grades and salaries paid to all States employees?

Senator T.A. Le Sueur:

Certainly. Any review of senior salaries will have an impact on all grades of staff and that is certainly something which I would be happy to pursue, recognising that it is quite a significant task when we have something like 6,000 or 7,000 public employees.

4.5 Deputy T.M. Pitman:

Referring back to the Chief Minister's statement in February, I believe, does he now acknowledge that it was a grave error not to contact and engage with the Jersey Care Leavers' Association before announcing that the Committee of Inquiry promised by his predecessor would not happen?

[12:00]

Senator T.A. Le Sueur:

To the best of my knowledge, the Jersey Care Leavers' Association were informed at the same time as States Members of the decision. They were not that engaged as fully as they might have been, and that is something which perhaps is a matter for further discussion in the debate we are going to have later on in this session, but I certainly believe that any subsequent arrangements that we make in relation to potential inquiries into that should involve and engage members of that association and others.

4.6 Deputy G.P. Southern:

Could the Chief Minister, in his position as chairman of the States Employment Board, state when he will be opening negotiations with representatives of public sector workers over the Tribal report about terms and conditions?

Senator T.A. Le Sueur:

Those negotiations are already underway. A meeting was held quite recently at which representatives of various unions took part.

4.7 Senator J.L. Perchard:

Does the Chief Minister have any message of comfort to those 1,400 persons unemployed on the Island, and in particular the 350 young people who are unemployed?

Senator T.A. Le Sueur:

Comfort is one thing, but encouragement is perhaps more useful and I would encourage them that there are positive steps being taken in areas such as Advance to Work, in the fact that there are various parts of industry - including the hospitality industry - which have vacancies, which we welcome people to take up posts but it is a 2-way process. I am certainly going to offer them, and I think we should all be offering them whatever encouragement and support we can to improve through schemes like Advance to Work, but also they can also take advantage themselves of seeing opportunities that are available in the marketplace.

4.8 The Deputy of St. Martin:

It is a follow-on from the question about consultation from Deputy Pitman. Would the Chief Minister not accept that it would be better to consult with people before making any decision, rather than tell people after what the decision is and then consult with them? Surely consensus is one of the key issues if we are going to move forward with issues like Haut de la Garenne.

The Bailiff:

Deputy, I am sorry, you can come back to that question, but unfortunately we do not appear to be quorate. We are still not quorate. Can I invite Members to return to the Chamber? Right; Deputy of St. Martin, would you put your question again?

The Deputy of St. Martin:

I will see if I could try and repeat the second time. It is a follow-up from the Deputy Pitman about consultation. Would the Chief Minister not agree that it is best to consult with people beforehand, like those States Members who have shown an interest and the Care Leavers, before a decision is made, rather than discuss with them after when a decision has been made?

Senator T.A. Le Sueur:

I think there is always a question of balance, and certainly in this particular case I know that States Members were anxious to know as soon as the criminal proceedings had been concluded what the stance of the Council of Ministers was in respect of a potential Committee of Inquiry in order to advise Members at the earliest possible opportunity and to advise the public including the Care Leavers' Association. At the earliest possible opportunity a report was presented, and I accept on that basis detailed consultation before that was not done, because what the report was was a statement of the Council of Ministers' position as they saw the relevance of a Committee of Inquiry.

The Bailiff:

That brings the period set for question time, Questions without Notice, to an end.