



THE STATES assembled on Tuesday,
9th June, 1981 at 10.15 a.m. under the
Presidency of the Bailiff, Sir Frank
Ereaut.

General Sir Peter Whiteley, G.C.B., O.B.E., His Excellency the
Lieutenant-Governor, was present.

All members were present with the exception of –

Senator Mrs. Gwyneth Clare Huelin – out of the Island.

Francis Hedley Morel, Deputy of St. Saviour – out of the
Island.

Mrs. Enid Clare Quenault, Deputy of St. Brelade – out of
the Island.

Sir Martin Le Quesne, Deputy of St. Saviour – out of the
Island.

Donald George Filleul, Deputy of St. Helier – out of the
Island.

Prayers.

Home Secretary's visit.

The President informed the House that he had received letters from the Right Honourable William Whitelaw, M.P., Secretary of State for the Home Department and Sir Brian Cubbon, Permanent Under-Secretary of State, expressing their appreciation at the arrangements which had been made for their recent visit to the Island.

The Home Secretary particularly expressed pleasure at the honour the States had awarded him by meeting in Special Session and allowing him to address the House from the floor.

Channel Islands Educational Broadcasting Service.

The President informed the House that the Channel Islands Educational Broadcasting Service had requested permission to record the initial part of a States Sitting.

The States acceded to the request.

Subordinate legislation tabled.

The following enactment was laid before the States, namely –

La Rocque Regatta Fête (Jersey) Order, 1981. R & O–6941.

Matter noted – land transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 3rd June, 1981 showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee approved, as recommended by the Harbours and Airport Committee, the leasing to Transflash McGregor Limited of 241 square feet of office accommodation on the New North Quay, Port of St. Helier, for a further period of three years with effect from 25th March, 1981 at an annual rent of £1,024.25, representing a rate of £4.25 a square foot a year.

Matter noted – financial transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 3rd June, 1981 showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that the Harbours and Airport Committee had accepted the lowest of three tenders, namely that submitted by Hacquoil and Cook Limited in the sum of £39,420 (for a stipulated completion date of 24th July, 1981) in respect of the conversion of 'C' Store, New North Quay, Port of St. Helier, to provide for Marina facilities.

Matters lodged.

The following subject was lodged “au Greffe” –

1. Grant aid and loan for St. Peter’s Youth and Community Centre. P.65/81.
Presented by the Education Committee. The States decided to take this subject into consideration on 23rd June, 1981.
2. Draft Fishing Vessels (Safety Provisions) (Jersey) Regulations, 198 . P.66/81.
Presented by the Harbours and Airport Committee.
3. Draft Building Loans (Miscellaneous Provisions) (Amendment No. 15) (Jersey) Regulations, 198 . P.67/81.
Presented by the Housing Committee. The States decided to take this subject into consideration on 23rd June, 1981.

Police Headquarters – additional accommodation.

THE STATES acceded to the request of the President of the Defence Committee that the Proposition regarding additional accommodation for Police Headquarters (P.54/81 – lodged on 19th May, 1981 and deferred from the Sitting on 2nd June, 1981) be considered as the first item of matters lodged under Public Business.

Prison Rules. Questions and answers.

Deputy Norman Stuart Le Brocq of St. Helier asked Senator John Roland Christopher Riley, President of the Defence Committee, the following questions –

- “1. The President will recall that during the debate on the Petition of Mr. Barrie Cooper on 5th May, he defined the word “attend” which occurs in Rule 76(1) of the Prison Rules as not requiring personal attendance. He will also recall that in the Young Offenders’ Centre Rules laid on the Table of the House on Tuesday, 26th May, Rule 59(1) contains a similar form of words as Rule 76 of the Prison Rules.

Does the President stand by the definition he offered the States on 5th May?

2. If the answer to question 1. is in the affirmative, will the President take the necessary steps to amend the wording in both the Rules so that it conforms with the heading to the Rules which is "Immediate Attendance and Consultations?"

The President of the Defence Committee replied as follows –

- “1. Not only do I stand by the strict definition of the word but more importantly I am convinced that the interpretation that successive Prison Boards have consistently maintained in respect of this Rule is the correct one.

The first responsibility of the Board is to ensure that a qualified Medical Officer is immediately available to attend *in person* at any time of the day or night on any prisoner who is ill and in need of medical attention.

This is achieved by a rota system of doctors permanently on call and the daily personal attendance of a Medical Officer at the Prison.

It is in the definition of the word *illness* that professional judgement is required.

In the first instance a Hospital Officer sees every prisoner who *complains* of sickness, and is able to deal with minor sickness or injury, and reports by telephone to the Medical Officer on duty the nature of the complaint in all other cases.

At that stage it becomes the responsibility of the Medical Officer to exercise his professional judgement as to whether he should immediately attend in person or prescribe such remedial treatment as is within the authority of the Hospital Officer to administer. In either event the complainant will be seen the following day by the Medical Officer.

If for any reason the Hospital Officer is not available the Medical Officer attends immediately and in person.

To require the personal attendance of the Medical Officer to every *complaint* of sickness, however unsubstantiated, would not only pose intolerable demands on the Medical

Officers but would in the opinion of the Prison Board be an entirely unreasonable requirement.

2. With regard to the second question, the Prison Board already has the entire Prison Rules under revision and the interpretation which I have given will be reflected in that review.

In conclusion, I would add that any complaint against the decisions of the Prison Governor or of the Board is considered by the totally independent Board of Visitors whose responsibility it is to ensure that the rights and wellbeing of prisoners are maintained. During my *18 years* service on the Prison Board I can remember no complaint by the Board of Visitors relating to the medical services provided and this – in my view – reflects great credit on Dr. Osment, his predecessor and his present partners.”

Staff ratios – Education Committee. Question and answer.

Deputy Hendricus Adolphus Vandervliet of St. Lawrence asked Senator Reginald Robert Jeune, President of the Education Committee, the following question –

“Will the President inform the House of the teacher to administrative staff ratio which existed in 1951 and that which exists at the present time?”

The President of the Education Committee replied as follows –

- “1. In 1951 the administrative staff of the Education Department numbered 12. There were then 5,500 pupils in the schools and colleges administered by the Committee and 260 teachers. The ratio of administrative to teaching staff was 1:21.6.
2. In 1981 there are 34 administrative staff in the Education Department. There are 9,481 pupils in the schools and colleges administered by the Committee and 688 teachers. The ratio of administrative to teaching staff is 1:20.2.

3. Comparisons between 1981 and 1951 should take account of the development of secondary and further education, (which were both very limited in 1951) and the system of Grants for Higher Education which with Child Care and Youth Services, did not exist in 1951.”

Homeville, Devonshire Lane, St. Helier.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawings Nos. 2664/13 and 14 showing the development of 4 two-bedroomed houses at Homeville, Devonshire Lane, St. Helier;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Police Headquarters – additional accommodation.

THE STATES, adopting a Proposition of the Defence Committee, approved in principle the provision of additional accommodation for the States of Jersey Police Force including the conversion of the Rouge Bouillon School Building.

Pilotage (General Provisions) (Amendment No. 7) (Jersey) Regulations, 1981.

THE STATES, in pursuance of Article 9 of the Pilotage (Jersey) Law, 1965, as amended, made Regulations entitled the Pilotage (General Provisions) (Amendment No. 7) (Jersey) Regulations, 1981.

Agriculture and Fisheries Department – offices at Howard Davis Farm, Trinity.

THE STATES, adopting a Proposition of the Agriculture and Fisheries Committee, approved in principle the construction of new offices at the Howard Davis Farm, Trinity, to accommodate the Agriculture and Fisheries Department.

Resources Recovery Board – works progress and capital estimates for 1982.

THE STATES, adopting a Proposition of the Resources Recovery Board –

1. approved in principle –
 - (a) the continuation of the repair, relining and reconstruction of defective or inadequate sewers in accordance with priorities to be determined from a continuing review of the system of sewers;
 - (b) the extension of the system of main sewers to serve the area of Ouaisné and Les Ruisseaux;
 - (c) the construction of surface water drainage improvement works under the heading “Surface Water Drainage – Miscellaneous Improvements”;
 - (d) the continued renewal of the Power Distribution System at Bellozanne;
2. approved the amalgamation of the following Capital Votes of Credit into one vote entitled “Surface Water Drainage – Miscellaneous Improvements” –

Vote C.0416 – Surface Water Disposal 1970 and 1971;

Vote C.0440 – Drainage Works to serve the catchment south and west of the Airport;

Vote C.0441 – Surface Water Drainage Improvements in the St. Peter and Les Quennevais – St. Aubin Catchment;

Vote C.0451 – Surface Water Drainage 1979 and 1981;

Vote C.0453 – Surface Water Drainage 1980.

Housing Committee – development proposals for 1982.

THE STATES commenced consideration of a Proposition of the Housing Committee and approved in principle the Committee’s

development proposals for the year 1982, contained in paragraph (a), as follows –

8 Parade Road

Mayfair Hotel Land

Purchase and Rehabilitation of Dwellings

After further discussion the Committee withdrew paragraph (b) of the Proposition.

Housing Committee development proposals for 1982 – amendment of Deputy N.S. Le Brocq of St. Helier.

Deputy Norman Stuart Le Brocq of St. Helier withdrew his Amendment to the Proposition on the Development Proposals of the Housing Committee for 1982 (P.63/81 – lodged on 26th May, 1981).

Maufant – rezoning of land.

THE STATES rejected a Proposition of Senator Richard Joseph Shenton that –

1. the Island Development Committee be instructed to rezone the site of the former glasshouses of Huelin Vineries opposite Maufant Village for recreational and community purposes;
2. the Island Development Committee be instructed to enter into negotiations with the owners of the land for the purchase of a site suitable for a Youth and Community Centre;
3. approval be given to the development of a Youth and Community Centre on the site as quickly as possible;
4. it should be agreed that field 234 Maufant known as “The Paddock” should be landscaped as an open area.

Members present voted for paragraph 1 as follows –

“Pour” (14)

Senators

Le Marquand, Shenton, de Carteret.

Connétables

St. Helier, St. John, St. Brelade.

Deputies

Ellis(H), St. Ouen, Grouville, Farley(H), Perkins(C),
Roche(S), Le Main(H), O’Connor(C).

“Contre” (29)

Senators

Vibert, Jeune, Binnington, Riley, Sandeman, Horsfall.

Connétables

St. Peter, St. Ouen, St. Clement, St. Martin, St. Mary,
St. Saviour, St. Brelade.

Deputies

Mourant(H), Marett(B), Luce(B), St. Mary,
Le Maistre(H), St. John, Troy(S), Baal(H), Le Gallais(S),
Le Brocq(H), Dupré(H), St. Martin, Vandervliet(L),
Le Feuvre(L), St. Peter, Rothwell(H).

THE STATES rose at 3.30 p.m.

E.J.M. POTTER,

Greffier of the States.