

5. Questions to Ministers without notice - The Chief Minister

5.1 Deputy G.P. Southern:

Does the Chief Minister consider that the lax supervision of the activities of the Channel Islands Stock Exchange for the past decade, including the ability of the Chairman and the Regulator to be a director of Channel Island Stock Exchange simultaneously, brings the reputation of all Channel Islands as financial centres into disrepute? If so, what action, if any, does he propose to restore the Island's reputation and/or to distance Jersey from activities in Guernsey? Would he consider, for example, the appointment of a joint regulator to cover the 2 Islands?

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

The Deputy is aware of my position in regard to that question because he has asked it as a written question earlier today, and I do not think I have got anything further to add. The Channel Islands Stock Exchange in Guernsey is regulated by the Guernsey Regulator and not by the Jersey Regulator, and there are no proposals to have a pan-Channel Island regulator at this point.

5.1.1 Deputy G.P. Southern:

Does he accept that any company calling itself "Channel Island X" does tend to be associated with both Islands and therefore will he take any action whatsoever? Does he consider that the reputation of the Island is brought into disrepute by the use of such a nomenclature?

Senator I.J. Gorst:

There is certainly an issue with the use of the words "Channel Islands" when only one of the main Channel Islands - and I take Guernsey and Jersey in that regard - are involved in a project. That is something that I was working on with the previous Chief Minister and hope to continue with the current Chief Minister of Guernsey, so that we can have a pact or an agreement upon when that term will be used.

5.2 The Connétable of St. Lawrence:

Will the Chief Minister agree that in a digitally-connected Island, broadband and wi-fi facilities should be provided for all patients at the hospital? If so, will he commit to talking with both Health and Treasury through its responsibility for Jersey Telecom, to deliver this without depleting finances that should rightly, as the Assistant Minister said earlier, be directed to Health issues?

Senator I.J. Gorst:

Yes.

The Connétable of St. Lawrence:

May I thank the Chief Minister and I look forward all patients having the provision of those facilities soon within the hospital. [Approbation]

5.3 Deputy M.R. Higgins:

In a statement made earlier by his Assistant Minister about abusive tax schemes or schemes deemed illegal by the U.K. courts, does the Chief Minister not accept that his policy on this matter is purely defensive and means of action will only be taken when the schemes are discovered and deemed illegal? Jersey's reputation has already been trashed in the U.K. media. Will he explain what proactive steps he is taking, or going to take about these schemes to prevent our reputation being trashed in the first place?

Senator I.J. Gorst:

Sometimes it seems that Ministers cannot do right for doing wrong. We are taking action in a way which has never been taken before. I support what the Assistant Minister said; I do not think I can add anything further to what he has said. These are U.K. schemes using loopholes in the U.K. tax code and therefore the process that we envisage seems to me perfectly reasonable.

5.4 Deputy S.Y. Mézec:

Has the Chief Minister read the report by the Chartered Institute of Personnel and Development into zero-hour contracts called *Myth and Reality*? Does he agree with its main recommendation that exclusivity clauses in zero-hour contracts could and should be outlawed when there is no compelling business reason for their use, because they do not provide the flexibility that is the actual purpose of zero-hour contracts? Does he agree that banning exclusivity clauses would be a good move, regardless of the outcomes of the States of Jersey's investigations into zero-hour contracts?

Senator I.J. Gorst:

It seems I am getting behind on my reading; that is the second report that I have been asked whether I have read. I can confirm that I have not, but I am more than happy to go away and read it if the Deputy would point me in the right direction, but I would not wish to make a commitment prior to the work that is being undertaken by various departments before that work is complete.

5.4.1 Deputy S.Y. Mézec:

I did say that this could be a move regardless of the outcome of the States of Jersey investigation into zero-hour contracts. Does he think that exclusivity clauses, where they are obviously being used to exploit the employee, should be banned?

Senator I.J. Gorst:

I maintain my position that, outside of the outcome of the work that is being undertaken, it would be premature to make a commitment one way or the other. The difficulty in the Deputy's question is the word "obviously."

5.5 The Deputy of St. Martin:

Has the Chief Minister looked closely at the report that shows that there is a growing number of world leaders that now have Twitter accounts? Can he tell the Assembly why he now has one and does he value social media?

Senator I.J. Gorst:

Can I simply say I have had my eyes opened over the course of the last 4 days when I have now taken to the world of tweeting. I think it is important that politicians should try and engage with the community that they service in any and every way possible, and large swathes of our community are tweeting. It is how they gather information and therefore it is important that Ministers and politicians engage in an appropriate way right across the community. It does not mean to say that Parish Hall meetings are a thing of the past; we must engage in a way which is appropriate to each sector of our community.

5.6 Deputy J.A. Hilton:

My understanding is the Joint Safeguarding Board falls under the remit of the Chief Minister's Department. Can the Chief Minister confirm he supports the publication of

serious case reviews in the public domain, notwithstanding that the reviews are the property, I believe, of the Chair of the Safeguarding Board?

Senator I.J. Gorst:

My understanding is that it is currently the decision of the independent chair of the Safeguarding Board, and I think that is absolutely right. I think there is a presumption in favour of publishing those reviews but it rightly, for various important confidentiality reasons, should remain the decision of the independent chairman.

5.6.1 Deputy J.A. Hilton:

Can the Chief Minister confirm that he supports them being published in the public domain?

Senator I.J. Gorst:

I think there should be a presumption in favour of publishing them, but there might be reasons that a particular family might request, because there are third parties mentioned in reports, whereby the independent chairman feels that they should not be published. I stand by the right of the independent chairman to be ultimately the decision-maker in that regard.

5.7 Deputy N.B. Le Cornu:

Is it the intention of the Chief Minister to invite observers to the forthcoming general election to be held in Jersey, in a similar way that the Minister for Treasury and Resources attended the Cayman Islands election and produced a very interesting report in the Jersey branch news of Commonwealth Parliamentary Association?

Senator I.J. Gorst:

It appears that Deputy Le Cornu is a follower of Twitter; not my own, but the Twitter account of the Minister for Treasury and Resources. I have had conversations with the Minister for Treasury and Resources; I think we need to now go away and have those conversations with Privileges and Procedures, because I think we could benefit from having a Commonwealth delegation visiting the elections later this year. We have got nothing to fear; I think their positions are well-held and those responsible for them take their responsibilities seriously, but I have no doubt that those observers would raise the issues that I raised in answer to questions earlier today.

5.8 Senator L.J. Farnham:

Would the Chief Minister check his Twitter feed is working properly, because it distinctly says he is looking forward to a day in the States [**Laughter**] and specifically discussing asbestos, pensions and the Waterfront.

Senator I.J. Gorst:

That was at 7.00 a.m. [**Laughter**]; I like to approach each new day with vigour and optimism and I have to say that I can still say that I think attending this Assembly is a privilege, we are working on behalf of our community and we should all enjoy coming to this place to make people's lives better. [**Approbation**]

5.9 Deputy M. Tadier:

Will the Minister advise regarding the Machinery of Government recommendations that he will be bringing forward? In his view will this catalyse the advent of party politics in Jersey or otherwise?

Senator I.J. Gorst:

That is a very good question. A lot of the proposals which I have lodged this morning do arise ultimately in what Clothier suggested, and Clothier was, I think, clear that they felt that their report, if implemented, would deliver party politics in our community. I personally have not been in favour of party politics for many years; what I want to do with these amendments, which arise from the Machinery of Government subgroup recommendations, is make sure that the current system we have got is delivering effectively on behalf of our community. I think that if parties are going to form, they should come from the community and then politicians will need to respond to it. These proposals I do not believe either hasten that day or delay that day; what they are doing is making the system we have got better and work more effectively on behalf of the community.

5.9.1 Deputy M. Tadier:

Will the Minister not confirm that he has told, certainly me and, I believe, P.P.C. at the last meeting, that I should support the Machinery of Government recommendations being brought forward because they will make party politics more likely to happen? How does he marry that view when he has told us that he is not in favour of party politics but seems to be putting forward a model that will lead ... or at least be more compatible with the party political model?

Senator I.J. Gorst:

My comments to the Deputy were that he should support these changes because he is in favour of party politics and these changes will be needed if party politics comes forward in our community. My point is that these changes are needed to the current system, whether we develop party politics or not.

5.10 The Connétable of St. Brelade:

In written question 5, I do understand why the Chief Minister did not want to comment on various individuals' names, but could the Chief Minister say whether he believes either individual was compromised in any way, and especially in regards to the Jersey Innovation Fund? I believe that it is important that this fund has the ability to run effectively.

Senator I.J. Gorst:

I really have nothing further to add to that which I have put in answer to written question 5. I do not think it is appropriate for me or this Assembly to get involved in discussions of individuals in any way in this regard.

5.10.1 The Connétable of St. Brelade:

Could I ask then whether he considers the Innovation Fund is currently running effectively?

Senator I.J. Gorst:

I have got no reason to believe that the Innovation Fund is running anything other than effectively. As I understand it, they have got 4 applications which they are starting more detailed due diligence on. I, by chance, have a meeting with some of the directors or people that sit on the Innovation Fund board early next week.

5.11 Deputy J.A. Hilton:

In relation to my previous question, can the Chief Minister tell me how he believes that I can hold a department to account if reports are not going to be put into the public domain?

Senator I.J. Gorst:

I think the Deputy would accept that the areas a serious case review would often cover are difficult, they can be extremely sensitive for individuals and third parties involved. While I accept there should be a presumption in favour of publication, there will be times when an independent chair feels that it is right not to publish any given report. If the Deputy wishes to challenge the view of the independent chair, then I suppose that is her democratic right to do so, but I do not think we should take away from that independent chair - and that is important - the final decision in this regard.

[12:00]

5.12 Deputy M. Tadier:

Will the Minister join me in paying tribute to the late Tony Benn, who passed away in the U.K., and does he believe that there is still a place for conviction politicians in this modern day of increasing career politicians?

Senator I.J. Gorst:

Of course, I would join the Deputy in praise of Tony Blair ... Benn, sorry. **[Laughter]** A Freudian slip. Perhaps, unfortunately, that shows where my political persuasions lie. With regard to conviction politicians, I am one of those individuals that believes that everybody, and I certainly think everybody in this Assembly stands forward because they have real conviction about how they want to see this community improved. We do each other a disservice when we try to suggest that there are more base motives for people standing for election. There is a place, there will always be a place in any legislature and government for those who have real conviction and want to deliver change effectively right across this community.

The Bailiff:

Very well, that brings questions without notice to the Chief Minister to an end. Can I perhaps inform Members of certain lodgings: Projet 33, the Draft States of Jersey (Amendment No. 8) Law, lodged by the Chief Minister. Then 2 amendments: first of all, an amendment by Deputy Southern to Projet 9, the Draft Financial Services Ombudsman (Jersey) Law, second amendment. Also, an amendment lodged by the Minister for External Relations to his own proposition, P.13, Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations.

Senator P.M. Bailhache:

May I mention in relation to the principal proposition that has been lodged, that I will not be seeking, obviously, to have that debated today. Perhaps this is not the proper time, but at the proper time I would be requesting that both the original and the amendment be debated, I think, on 1st April.