

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 13th DECEMBER 2005

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ADJOURNMENT]

The Roll was called and the Dean lead the Assembly in Prayer

URGENT ORAL QUESTION

1. The Bailiff:

“We come to Question Time, and I have allowed, under Standing Order 15 relating to Urgent Oral Questions, the following question for the Minister for Economic Development by Deputy Le Hérissier.”

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

“What steps is the Minister taking to ensure continuity of ferry services to France?”

Senator P.F.C. Ozouf (Minister for Economic Development):

“Could I just confirm that there are going to be supplementaries of a wide discretion able to be answered on this matter, Sir?”

The Bailiff:

“You are in the firing line, Minister, yes.”

Senator P.F.C. Ozouf:

“That is fine, I will do my best, Sir. Members will be aware that Emeraude has recently announced that it would not be operating its ferry service until at least the end of February next year, but there is uncertainty over the longer-term future of Emeraude 2. The Chief Minister and myself were invited to a meeting with Emeraude local management on Friday and they were at that stage unable to confirm when services would recommence. I have had a telephone call this morning from a senior representative of Sogestran France and have arranged for a meeting with him on Friday. We hope at that time to get a better understanding of what Emeraude company’s plans are. Obviously we are aware that passengers booked with Emeraude will now need to make alternative travel arrangements for at least until the end of February. For that reason, senior officials from Economic Development and the Harbours Department met with the existing operator, Condor, last Friday. I understand that more capacity has already been added to the route over the Christmas and New Year period. I am meeting with Condor later this afternoon to establish what options there are for passengers booked with Emeraude. We will be attempting to

work closely with Condor to ensure that there is sufficient capacity for the travelling public. Sir, the previous Committee at their last meeting approved a Draft Sea and Transport Policy for approval by the new Minister. This Policy, I am advised, moved away from their previous position of an 'open seas policy' to a managed service level agreement (SLA) arrangement. I will be reviewing this document and intend to make a decision on the medium and long-term future Seas Policy within the first 2 months of next year. Decisions will need to be made by the latest 1st March, as the current ramp permits expire at the end of next year for both operators, in addition to the operator on the northern bound route. I will be keeping the Chief Minister and Council of Ministers informed as the situation develops."

1.1 Deputy A. Breckon of St. Saviour:

"I would like to ask the Minister - he mentioned there SLA, which, for people who don't know, means service level agreement - what service level agreements are in place with the ferry operators and who monitors them?"

Senator P.F.C. Ozouf:

"I am advised that there are 2 service level agreements in operation for both of the current operators and I am advised that they are monitored by the Harbours Department. Clearly, in respect of the Emeraude situation, that SLA would no longer be working, because they are not providing the service."

1.2 Deputy A. Breckon:

"Could I follow that up because the Minister has suggested that it is done by the Harbours Department. Are these figures in fact published, because I have never seen any regarding sailings and timings, what is late, numbers carried and the rest of it?"

Senator P.F.C. Ozouf:

"I am not aware of the precise monitoring of the SLA agreements. My own view is that there needs to be a great deal of work done on the whole concept of a service level agreement. Clearly, the previous position, which has been allowed to develop where we have had 2 competing operators, has not, it appears, achieved the objectives that were set. I have been reviewing volume information this morning and I am not exactly clear yet what has happened on the volumes of passengers and cars over the last few months. Certainly there was a suggestion that the market has been grown, but I can't see that from the figures that I have seen so far."

1.3 Deputy R.G. Le Hérissier:

"Would the Minister acknowledge that he is involved in a lot of activity which simply amounts to crisis management and that both he and the Chief Minister, in statements they made to the media, clearly seem to have no idea that this crisis was developing and that, therefore, we have very little faith in their ability to put in place long-term policy to deal with it?"

Senator P.F.C. Ozouf:

"A pretty interesting opening question from Deputy Le Hérissier there. Frankly, I took over from this position last Thursday and, immediately upon being appointed as Minister for Economic Development, set about establishing what the facts were and set in place meetings with not only Emeraude but indeed Condor, and that is exactly

what we have been doing over the last few days. I would suggest that the Deputy is entirely incorrect to suggest that the Chief Minister and myself have no competence to deal with this. We have been given a situation and we are managing as best as we can, with the availability of persuasive discussions with Condor, to see what we can do for the travelling public. What I will say is I am determined to make sensible decisions for the long-term interests of the travelling public early in the course of next year; and I won't be rushed into making decisions."

1.4 Deputy G.P. Southern of St. Helier:

"Does the Minister agree that the current lamentable situation is a direct result of the previous Committee's 'open seas' policy?"

Senator P.F.C. Ozouf:

"It is a very interesting and very complex set of situations. The previous Harbours and Airport Committee gave, as I understand it, a permit to Condor Ferries. It has to be remembered that Condor Ferries had been operating on the route for a very substantial period of time. Moves in technology and the replacement of vessels meant effectively the same vessels were being used for passengers as well as for cars. I think that, if you look back through the history, it would have been pretty difficult for the Harbours and Airport Committee at the time to have made any other decision but to allow Condor to compete on the routes. What I can say is that I am not entirely persuaded by the previous Committee's general view that there should be 'open seas.' In fact, the document that I have been guided most by in my research over the last few days has been the OXERA report, which says that it does not recommend a year-round pure open seas policy be pursued. It goes on to say that, in the long-term, effectively there would be periods of price competition followed by companies going out of business. Now, it seems to me, from my preliminary analysis of this, that is exactly what has happened, underlining the point that sensible, far-sighted decisions need to be made in the early part of next year."

1.5 Deputy R.G. Le Hérissier:

"Notwithstanding the Minister's attempt to abdicate responsibility prior to Thursday, would he not agree that there was a considerable amount of material from the likes of the then Mr Sean Power and the Emeraude Group, for example, as well as the OXERA report, which indicated that the arrangement was likely, almost inexorably, going to lead to trouble and he was very involved with the Competition Policy and he and Senator Walker, as then President of Policy and Resources, had ample - ample - advance notice that the situation was worsening and, to suggest that it was only since Thursday he has been able to turn his attention to it, seems to me a clear example of Houdini politics?"

Senator P.F.C. Ozouf:

"I realise that Deputy Le Hérissier is perhaps sharpening his teeth for his new world of direct Scrutiny, but I am afraid I am just simply not going to accept for one moment any responsibility for decisions that have been taken by previous Committees. I would remind the good Deputy that I have not been on anything to do with Economic Development for the previous 3 years, and I would urge the Deputy to start reviewing accurate involvement of various different politicians before he starts throwing around suggestions of responsibility in this Assembly."

1.6 Deputy S. Power of St Brelade:

“I am extremely relieved this morning to hear Minister Ozouf refer to the OXERA report. It is the first time that this report has, I think, been mentioned in any serious context in this House since it was published in July 2004. Can I point out to the Minister that, in my understanding of the situation on the southern route, there is no service level agreement? My understanding is that there is a service level agreement on the northern route, which is supposed to regulate fares linked to the cost of living. But my interaction with the public in the last 4 days has been that the fares on the southern route ----”

The Bailiff:

“You must come to the question, Deputy.”

Deputy S. Power:

“Sorry, Sir. Could the Minister confirm that there is no service level agreement on the southern route, that there is a service level agreement on the northern route that is supposed to regulate fares and what is his understanding of that situation?”

Senator P.F.C. Ozouf:

“The Deputy is, I think, right. There is a service level agreement which does describe the whole set of responsibilities of the operator on the northern bound route. There is some sort of agreement on the southbound route. Now, whether or not those are conditions of the licence permit or whether or not there is a service level agreement, there is some form of relationship between the former Harbours and Airport Committee and the southern operator, which basically says ‘You will be doing various different things and running it.’ The service level agreement covers issues such as safety, frequency of service and price. I do understand that there is not the same level of service level agreement on the southern bound route that there is on the northern bound route. Now, clearly we have to decide what is going to be the relationship between the States and an operator on the southbound route. Of course, it is a trade off of frequency of service, price and reliability of service. These are trade offs which must be very clearly understood. At the most extreme example of the economic model is open seas. Open seas will give you in the summer months low priced fares, which of course many people in Jersey have been enjoying over the last 2 years. But there is a trade off which needs to be properly understood, and I will be examining all the available information and discussing with Condor Ferries - discussing with any other operators - what the options are for the southern bound route. There are difficult decisions to be made, but there are clearly lessons to be learnt from the past.”

1.7 Deputy F.J. Hill of St. Martin:

“The Minister gave reference to the fact that he has only made a start since Thursday as a new Minister. Could I ask, Sir, as a point of clarification, I understood that bodies or ministries, etc, are continuous bodies and, therefore, a decision made by a former Committee is now beholden upon the new Committee. Will that same ruling apply now we are into ministries? In other words, any actions taken by a former Committee is no longer the responsibility of the new Minister? Maybe the Solicitor General could advise on that? I don’t know.”

The Bailiff:

“Is that a Point of Order?”

The Deputy of St. Martin:

“It seems to be an easy escape route to say ‘Well, all those decisions were made before I came in, so therefore I start from blank’, so I would just like to seek clarification, Sir.”

The Bailiff:

“It is a matter for individual Ministers, I think, to decide. So far as the legal position is concerned, the Minister and a previous Committee have a continuous legal existence, but whether, politically speaking, a Minister chooses to accept responsibility for the acts of a previous Committee, I think, is a matter for him. Now, I cannot allow a debate to develop on this. Since I am going to abridge questions, I saw Deputy Ryan.”

Senator P.F.C. Ozouf:

“Can I just answer the question, because the fact is that, of course, there is a perpetual existence and now the Economic Development Minister has responsibilities for all of the policies which are in force from the Harbours and Airport Committee and Economic Development. Nothing moves away from that, but I understood the question from Deputy Le Hérissier to be a personal view of what I would be doing as Minister for Economic Development concerning sea routes. It would be entirely presumptive to have started to interfere. Yes, my name was going forward for Economic Development Minister, but, until appointed, it would have been entirely inappropriate for myself or the Chief Minister to get involved in any sort of policy development. That would have been quite, quite wrong. As soon as appointed, yes, we have been getting on with it.”

1.8 Deputy P.J.D. Ryan of St. Helier:

“Just following on that last brief statement very quickly, of course the officers within Economic Development are exactly the same and their advice presumably hasn’t changed either. But let me just ask the Senator a question with regard to what may have changed recently. My understanding is that the difficulty ongoing and always has been with this problem is the question of Guernsey. Anything that we do cannot be done separately from Guernsey because the same boats go to Guernsey as they do to Jersey. Generally speaking, can he tell me if there has been a change in attitude from Guernsey? Have there been any developments on this? Does he foresee any changes in attitude? My understanding is that the Guernsey situation was a somewhat intractable one in the past.”

The Bailiff:

“No speeches, please, Deputy.”

Deputy P.J.D. Ryan:

“Could he agree with me and does he know if there has been a change of attitude in Guernsey which might help the situation?”

Senator P.F.C. Ozouf:

“My understanding is that there are ramp permits which are basically due to expire at the end of 2006 for not only the southbound routes but also the northern bound routes. I think the point that the Deputy is making is that there is a similar arrangement with the northbound and, I think, southbound routes from Guernsey which expire at the end of 2008. Probably the question underlying his question is that, in view of the fact that one of the operators, Condor Ferries, represents that they operate a network of routes, a decision must be taken in the issuing of a permit which covers the whole of the Channel Island area both in terms of northbound and southbound routes. Now, the issue there is that we need to have discussions with Guernsey. One option would be if we were prepared to effectively have some form of tender operation for both the northern bound and southern bound routes together, we would need to discuss with our Guernsey colleagues whether or not a decision made by the Channel Islands would extend further out than the 2008 period, because clearly one would be in an uncomfortable position, having granted a Jersey base licence for, say, a 5 or a 10-year period, if there were a different timing. We will talk with Guernsey, and that is one good reason for involving the Chief Minister in these discussions, in order to find the best set of options for the setting up of a service level agreement across the Channel Islands.”

1.9 Deputy J.A. Hilton of St. Helier:

“I feel that we have been here before. We had exactly the same situation a few years ago when British Channel Island Ferries (BCIF) were basically knocked out of the market by Condor being allowed on the northern route. The question I would like to ask the Minister is what action he intends to take over allegations that, since Emeraude stopped trading a couple of weeks ago, there has been a huge hike in prices?”

Senator P.F.C. Ozouf:

“That is a very good question, and that was one of the catalysts which meant that senior officials from Economic Development and Harbours and Airport met with Condor. What Condor have said is that the prices have not changed. What has happened is that a passenger seeking to get a ticket in the short-term - a short-term purchase ticket - within the next few days is of course paying a much higher fare than they would if they had bought an advance purchase ticket. The situation is simply that, that passengers who were previously booked on Emeraude, now having to rebook their tickets, are finding that the short purchase period tickets are extremely more expensive than those long service tickets. I am not sure what, if anything, we should be doing in the event of attempting to regulate the prices or, indeed, persuading Condor what to do. We are meeting with Condor. Condor, I must say, have been extremely helpful in the discussions which have been held with the Harbours and Airport Department. I am grateful for their initial response to putting on additional capacity and we will do what we can to talk to them about the price of fares, but I have to say that I don't believe that we have any legal powers - neither, perhaps, should we have any legal powers - at the present moment - to influence the price of tickets, but we will do what we can. We understand that there is a problem.”

1.10 Deputy P.N. Troy of St. Brelade:

“Has the Minister considered implementing some sort of 5-year plan to address the problem and considered the possibility that one operator could be operating from Jersey to St. Malo and a second operator could go on a different route from Jersey to a different port, which would reduce the competition on one route? Of course, there are not facilities at other ports, at Granville for example, but something could be considered whereby negotiations could be started with Granville or another port to implement a ramp at another location.”

Senator P.F.C. Ozouf:

“I do agree that there does need to be some medium to long-term far-sighted policy driven by the States to secure sustainable route options. That is absolutely clear. I am not at all sure that simply a pure free market open seas policy is the right policy approach as recommended by OXERA. So clearly we do need to do that, and that is what we will be working on. Frankly, we have a deadline in order to decide what that policy framework is going to be by 1st March. The Deputy mentions a number of other ports. Well, there isn't a car ramp access at Granville. We know that there is one at Cherbourg.”

Deputy P.N. Troy:

“I did say that.”

Senator P.F.C. Ozouf:

“But I think we have to understand that St. Malo has been the long-term port access into France for a many, many years and I would envisage that it continues to play an enormously vital part of our links to France. What we must do is we must put in place an appropriate licence with an appropriate service level agreement, with operators that have a proven track record that will provide weather-round services, a frequency of service and affordable tickets. That is what we have got to try and do, and we will be working with all of the officials across the States with the appropriate advice to make those proper decisions.”

STATEMENT BY CHIEF MINISTER

2. The Bailiff:

“Thank you, Minister. Now we come back to the Order Paper. I have notice that the Chief Minister will make a statement regarding the appointment of a Deputy Chief Minister and Assistant Ministers.”

Senator F.H. Walker (Chief Minister):

“I would like to inform the Assembly that I have invited Senator Terry Le Sueur, Minister for Treasury and Resources, to be Deputy Chief Minister. I am delighted that Senator Le Sueur has accepted this invitation, and I hope that the States will join me in wishing him well in this new rôle. I am also pleased to inform the Assembly that Assistant Ministers have now been appointed, and they are as follows: the Chief Minister's Assistant Ministers are Connétable Ken Vibert of St. Ouen and Deputy Ian Gorst of St. Clement; Treasury and Resources, Deputy John Le Fondre of St. Lawrence; Economic Development, Deputy Alan Maclean of St. Helier and Connétable Geoffrey Fisher of St. Lawrence; Education, Sport and Culture, Deputy Ben Fox of St. Helier and Deputy Caroline Labey of Grouville; Social Security,

Deputy Peter Troy of St. Brelade; Health and Social Services, Deputy Celia Scott Warren of St. Saviour; Home Affairs, the Deputy of St. John; Planning and Environment, Connétable Richard Dupré of St. John; Transport and Technical Services, Deputy Jacqueline Huet of St. Helier; and Housing, Deputy Jacqueline Hilton of St. Helier. I would like to thank, Sir, my colleagues for agreeing to serve in this capacity and wish them all well in their new rôles.”

APPOINTMENT OF PRESIDENT OF CHAIRMEN’S COMMITTEE

3. The Bailiff:

“Now we come to the principal Order Paper and public business. The first item on the Order Paper is the appointment of the President of the Chairmen’s Committee. I invite nominations for that post.”

Deputy P.J.D. Ryan:

“I would nominate Deputy Duhamel for this rôle.”

Deputy S.C. Ferguson of St. Brelade:

“I will second it, Sir.”

The Bailiff:

“Are there any other nominations for the presidency of the Chairmen’s Committee? **(Pause)** Then I declare that Deputy Duhamel has been elected as the President of the Chairmen’s Committee. We come next to the appointment of members of the Privileges and Procedures Committee. Mr. President?”

APPOINTMENT OF MEMBERS OF PRIVILEGES AND PROCEDURES COMMITTEE

4. Connétable D.F. Gray of St. Clement:

“The Standing Orders require me to nominate 2 members who are Ministers or Assistant Ministers and 4 members who are not. I would like to start by nominating the 2 members who are Ministers or Assistant Ministers, and they are Senator Syvret and Senator Vibert.”

The Bailiff:

“Are those nominations seconded? [*Seconded*] Are there any other nominations from the ranks of Ministers and Assistant Ministers for appointment to the Privileges and Procedures Committee? **(Pause)** Very well, then I declare that Senator Syvret and Senator Vibert have been elected as the ministerial members of the Privileges and Procedures Committee.”

The Connétable of St. Clement:

“Thank you, Sir. The 4 members who are not Ministers or Assistant Ministers are Deputy Baudains, Deputy Martin, the Deputy of St. Peter and the Deputy of St. Mary.”

The Bailiff:

“Are there any other nominations for membership of the Privileges and Procedures Committee?”

The Connétable of St. Peter:

“I would like to propose the Connétable of St. Mary.”

The Bailiff:

“Is the nomination of the Connétable of St. Mary seconded? [*Secounded*] Deputy Duhamel?”

Deputy R.C. Duhamel of St. Saviour:

“Could I nominate, Sir, Deputy Southern?”

The Bailiff:

“Is the nomination of Deputy Southern seconded? [*Secounded*] Are there any further nominations for membership of the Privileges and Procedures Committee? (**Pause**) I will ask the Chief Usher to distribute the ballot papers. Members can vote for up to 4 members of the Committee, and the nominees are Deputy Baudains, Deputy Martin, the Deputy of St. Mary, the Deputy of St. Peter, the Connétable of St. Mary and Deputy Southern.”

Deputy G.C.L. Baudains of St. Clement:

“I am sorry, Sir, there was noise when you were speaking. Could you run through that again, please?”

The Bailiff:

“Yes, members can vote for up to 4 members of the Committee, and the nominees are Deputy Baudains, Deputy Martin, the Deputy of St. Mary, the Deputy of St. Peter, the Connétable of St. Mary and Deputy Southern. (**Pause**) The Greffier asks me to emphasise that both representatives of St. Mary are candidates, the Deputy and the Connétable. (**Pause**) I ask the Solicitor General in due course and the Assistant Viscount to act as scrutineers. (**Pause**) Has every member who wishes to do so put his or her ballot paper in the urn? Very well, I ask the Solicitor General and Assistant Viscount to act as scrutineers. (**Pause**) I don’t know whether members would wish to continue with the appointment of the elected members of the Public Accounts Committee?”

Deputy G.P. Southern:

“I believe there are candidates who would be interested in serving on Scrutiny if they were not on Privileges and Procedures Committee. We are looking at the workload balance there.”

The Bailiff:

“In the light of that intervention by Deputy Southern, I think it would be not right to continue with the appointment of elected members of the Public Accounts Committee, which might deprive some members of the right to stand in ignorance of whether or not they had been elected to the Privileges and Procedures Committee, so I will adjourn the States for a few moments while the counting takes place.”

The Assembly adjourned for a short time

The Bailiff:

“There were 2 spoilt votes, in the sense that members voted for members who were not candidates, but the scrutineers have, quite rightly in my view, counted as valid the votes for members who were standing for election. So I can now announce the results of the voting as follows: 36 votes were cast for Deputy Baudains, 36 votes for the Deputy of St. Mary, 34 votes for the Deputy of St. Peter, 32 votes for the Constable of St. Mary, 23 votes for Deputy Martin and 8 votes for Deputy Southern. I therefore declare that Deputy Baudains, the Deputies of St. Mary and St. Peter and the Connétable of St. Mary have been duly elected to the Privileges and Procedures Committee. Now, we come to the appointment of elected members of the Public Accounts Committee.”

APPOINTMENT OF ELECTED MEMBERS OF PUBLIC ACCOUNTS COMMITTEE

5. The Bailiff:

“The first thing that I have to ask the Chairman of the Public Accounts Committee is how many members of the Committee there will be, Deputy.”

Deputy S.C. Ferguson of St. Brelade:

“There will be 5 elected members, Sir.”

The Bailiff:

“The Assembly has to appoint an even number of members determined by the Chairman, not less than 4, of whom 50 per cent must be elected members who are not Ministers or Assistant Ministers and 50 per cent must be persons who are not members of the States. So you propose that 4 elected members in addition to yourself should be appointed and 4 non-elected members; is that right?”

Deputy S.C. Ferguson:

“No, Sir, I propose 5 elected members and 5 non-elected members. Seeing that the non-elected members are businessmen and do have considerable demands on their time, they can't always be present at all meetings. We have in fact up until now operated under the shadow arrangements with a total Committee of 9, but it works out, because of ----”

The Bailiff:

“I am not questioning you. It will be a Public Accounts Committee of 11 people?”

Deputy S.C. Ferguson:

“Yes. I felt that the House needed an explanation, Sir.”

The Bailiff:

“Very well, thank you very much. Now, the Assembly is proceeding this morning to appoint the elected members of the Public Accounts Committee, 5 elected members, as the Assembly has heard from the Chairman. Will you propose the elected members of the Committee?”

Deputy S.C. Ferguson:

“Yes, Sir. It gives me great pleasure to propose the Deputy of St. Ouen, the Constable of St. Peter, the Constable of Grouville, Deputy Breckon and Senator Perchard.”

The Bailiff:

“The Deputy of St. Ouen, the Constable of St. Peter, the Constable of Grouville, Deputy Breckon and Senator Perchard; is that right?”

Deputy S.C. Ferguson:

“Yes, Sir.”

The Bailiff:

“Are those nominations seconded? [*Secunded*] Are there any other nominations for membership of the Public Accounts Committee? **(Pause)** Very well, I declare that the Deputy of St. Ouen, the Constable of St. Peter, the Constable of Grouville, Deputy Breckon and Senator Perchard have been duly elected as members of the Public Accounts Committee. We now come to the appointment of members of the Scrutiny Panels. We will appoint members of the Scrutiny Panels in the order set out in the Order Paper - Corporate Services, Economic Affairs, Social Affairs and Environment. So I remind members that Standing Order 125(1) provides that the Chairman of the Scrutiny Panel shall indicate the number of members, not exceeding 4, that he or she wishes the Panel to have and shall nominate elected members who are neither Ministers or Assistant Ministers as candidates for appointment as those members. So may I begin with Corporate Services. Mr Chairman, could you first of all indicate, please, the number of members that you wish to have appointed to the Panel?”

APPOINTMENT OF MEMBERS OF SCRUTINY PANELS

6.1 Deputy P.J.D. Ryan:

“Yes, I would like to have 4 members plus myself, 4 further members.”

The Bailiff:

“Very well, and would you, please, nominate those members?”

Deputy P.J.D. Ryan:

“I would be delighted. The first member is Senator Jim Perchard, sitting, as he does, rather like a thorn between several roses, or is it a rose between several thorns, I’m not really sure, but there seem to be lots of very virtuous looking roses there, so I think probably the thorn may well be the apt description, the Constables of Trinity and Grouville and the fourth one is the Deputy of St. Mary.”

The Bailiff:

“Are those nominations seconded? [*Secunded*] Are there any other nominations for membership of the Corporate Services Scrutiny Panel? **(Pause)** Very well, I declare that Senator Perchard, the Constables of Trinity and Grouville and the Deputy of St. Mary have been duly elected to membership of that Scrutiny Panel. We come next to the Economic Affairs Scrutiny Panel. Again, Deputy Southern, how many members would you wish to have?”

6.2 Deputy G.P. Southern:
“I wish to appoint 4 members.”

The Bailiff:
“May I, please, have your nominations?”

Deputy G.P. Southern:
“Yes, Sir, they are Deputy Alan Breckon, Deputy Kevin Lewis, the Constable of St. Brelade and Deputy Martin.”

The Bailiff:
“Are those nominations seconded? [*Seconded*] Are there any other nominations for membership of the Economic Affairs Scrutiny Panel? (**Pause**) Very well, I declare that Deputy Breckon, Deputy Lewis, the Constable of St. Brelade and Deputy Martin have been duly elected to membership of that Scrutiny Panel. We come next to membership of the Social Affairs Scrutiny Panel. Deputy of St. Martin, may I ask for the number?”

6.3 The Deputy of St. Martin:
“I would like 4 and I have 4.”

The Bailiff:
“Very well, would you make those nominations?”

The Deputy of St. Martin:
“Yes, Sir, the fact that they are all ladies has nothing to do with my sex appeal. Sir, I am delighted to propose Deputy Judy Martin, Deputy Deidre Mezbourian, the Deputy of Trinity and Deputy Shona Pitman.”

The Bailiff:
“Are those nominations seconded? [*Seconded*] Are there any other nominations for membership of the Social Affairs Scrutiny Panel? (**Pause**) Very well, I declare that Deputy Martin, Deputy Mezbourian, the Deputy of Trinity and Deputy Pitman have been duly elected as members of the Social Affairs Scrutiny Panel. We come finally to the Environment Scrutiny Panel. Deputy Duhamel, how many members?”

6.4 Deputy R.C. Duhamel:
“I would like 4.”

The Bailiff:
“Yes, and your nominations, please?”

Deputy R.C. Duhamel:
“My nominations are the Constable of St. Mary, Deputy Gerard Baudains, Deputy Roy Le Hérissier and Deputy Sean Dooley-Power.”

The Bailiff:
“Sorry, the Constable of St. Mary, Deputy Baudains and your third?”

Deputy R.C. Duhamel:

“Deputy Le Hérissier.”

The Bailiff:

“Deputy Le Hérissier and Deputy Power. Are those nominations seconded? [*Seconded*] Any other nominations for membership of the Environment Scrutiny Panel? **(Pause)** Very well, I declare that the Constable of St. Mary, Deputy Baudains, Deputy Le Hérissier and Deputy Power have been duly elected to membership of the Environment Scrutiny Panel. Now, we come back to the supplementary Order Paper and to the arrangement of public business for future meetings.”

ARRANGEMENT OF PUBLIC BUSINESS

7. The Assembly arranged the public business for future meetings

The Bailiff:

“That concludes the business on the Order Paper.”

CHRISTMAS GREETINGS

8.1 Senator S. Syvret:

“It is customary at this time of year that the senior Senator, the senior Connétable and the senior Deputy say a few words. I hope to do that, although I confess I have not had a great deal of time to prepare my thoughts on the subject just lately. Christmas is nearly upon us and Christmas is, of course, the season of goodwill. It is also the very beginning of an entirely new system of government for the Island and an entirely new way of working and a whole new approach to addressing the issues that face our community by this Assembly. It is to be hoped that the spirit of goodwill, which we enjoy at this time of year, is carried over into the new system of government, not only in the months ahead but the years ahead, so that we can work co-operatively and constructively with one another, in which we respect our differences of opinion but we work together for the greater advantages of the community. It is important to remember that we perhaps can be very inward looking in this Chamber and perhaps, to some extent, in the Island. We need to remind ourselves, no matter what the difficulties we face at present in Jersey, they are as nothing compared to the troubles and difficulties that many, many millions and indeed billions of people around the world are experiencing. I think it is wholly right that, at this time of year, we do turn our thoughts to the outside world and the troubles, the difficulties, the poverty, the starvation and the war that affect so many places around the world and hope indeed that things improve, that governments and international bodies can in fact become more focused on addressing the needs of the world and addressing the needs of the world’s poor and dispossessed, the hungry and those victims of war. So let us hope also that some of the great good fortune and benefit that we enjoy in this Island will go out to more people around the globe in the year ahead. I would like, of course, to ask that the Assembly’s season’s greetings be extended to his Excellency and Lady Cheshire and to you, Sir, and indeed Lady Bailhache. I also think it is important and right that we extend our thanks and our gratitude to all of the Island’s public sector workforce, who work under our ultimate control and authority, for the very good job that they do. We have an excellent workforce, who work extremely well and effectively on behalf of the community. I would also like to extend season’s greetings

and thanks to all of the volunteers that do tremendously important work in many areas of our society. I know from simply my perspective at Health and Social Services that a vital number of rôles are carried out by voluntary and charitable organisations throughout our community, often addressing people who are in the direst of need. Again, I think the Assembly should extend our greetings, our thanks and our appreciation to those people. We would also, I think, on the Senatorial benches, like to extend our best wishes to our fellow members, the Connétables and the Deputies. Whether that feeling of *bonhomie* will persist into the New Year, of course, remains to be seen. We will see how the new system of government works and whether in fact we have changed the culture of government in the Island and moved to something better. Sir, on behalf of the Senators, I wish everyone the best wishes of the season, and I hope everyone has a very happy and successful Christmas and New Year.”

8.2 Connétable J.B. Germain of St. Martin:

“On behalf of my fellow Connétables, I would like to extend our Christmas greetings to you all and to all members of this House. It has been another busy year for the States, particularly as we prepare for the change from the committee system to the ministerial system of government. Last autumn, the States had a major debate on its composition and there was some uncertainty as to whether the Connétables would still be in this House this Christmas. However, we are still here. I was encouraged when reading Senator Walker’s statement, to see his change of heart and that he is now a strong believer in the Connétables remaining in the States. The Connétables have been asked more than once in the last few months whether they will be playing an active rôle in the scrutiny of this House. In addition to their parochial responsibilities and duties, the Connétables have always been actively involved in committee work in the past and, indeed, I know several committees would have struggled to be quorate but for the attendance of the Connétables. We have, therefore, always expected to be fully involved in the new system, whether in the Executive or Scrutiny rôles. Following the elections today, Sir, it is good to note that the Connétables are represented by the Constables of St. Ouen, St. Lawrence and St. John as Assistant Ministers; the Connétable of St. Clement as Chairman of the Privileges and Procedures Committee; the Constables of Grouville and St. Peter on the Public Accounts Committee; and the Constables of Trinity, Grouville, St Brelade and St. Mary on the Scrutiny Panels. That is not a bad lot, is it, Sir? (**Approbation**) Thank you very much. It was worthwhile waiting for that. In addition, the Standing Orders provide for the first time that the Comité des Connétables is itself recognised by the States and may lodge draft legislation and propositions and answer questions. Members will know that the Comité has lost no time in availing itself of this opportunity and has today lodged a draft amendment to the Dogs (Jersey) Law, a further indication (if it is needed) that the Connétables will continue to play a full and active rôle in this Assembly and look forward to working closely with the Executive. This autumn’s elections have resulted in a number of changes on the States in Senators’ and Deputies’ seats, but, because of the staggered election dates for the Connétables, it is not so obvious that there have been changes amongst our number as well. In fact, 4 of the Connétables are still in their first term of office, having been elected within the last 3 years. The most recent change has, of course, been the election of the Connétable of St. Brelade, and we welcome him and the other members who have recently joined the States. There may be further changes in 2006

as the terms of 5 other Connétables expire. A highlight for me this year, Sir, was the visit of Her Majesty for the celebration of the 60th anniversary of the Liberation. It was an honour to be able to present many parishioners who themselves had lived through the Occupation of Jersey or served in the forces during the War. The strong, royal link we enjoy is continued by the Lieutenant Governor's generous gift of oak trees and Royal Windsor Oak acorns, which the Connétables received last month. These will be planted in the Parishes. Sir John has taken an active interest in parochial life during his term of office and we wish him and Lady Cheshire well in their last few months in Jersey. Once again, I would like to take this opportunity to pay special tribute to all those who work in an honorary capacity for our Island, particularly all the honorary officers of the Parishes and especially the Honorary Police. They are an example to us all as they serve the public. Many events, such as the Royal Visit, would not have proceeded without their willing assistance. As the States embark on a new system of government, it is perhaps appropriate to mention that the organisational structure of the Honorary Police changed earlier this year. These changes do take time to settle, and I hope that the Christmas spirit of peace and goodwill will be reflected in unity and co-operation amongst members as we seek the best for our Island whilst adjusting to the new system. Finally, Sir, we do thank you for the manner in which you preside over this House, that your door is always open and that you are always ready to offer words of advice and guidance when these are required. We also thank the Attorney General and the Solicitor General for their continued advice and support of the honorary system. Sir, on behalf of the Connétables, it gives me great pleasure to wish you, Lady Bailhache and your family, Sir John and Lady Cheshire, the Dean and Mrs Key, Deputy Bailiff, Senators, Deputies of this House, the Attorney General, Greffier of the States, the Viscount and their staff, the Ushers and Norma (our tea lady), the press and many others associated with this House and their families a truly peaceful and enjoyable Christmas and our very best wishes for 2006."

8.3 Deputy R.C. Duhamel:

"An unexpected pleasure that, after 12 years, I have risen to the top of the tree - as an angel or fairy, I don't know, but time will tell. On a more formal note, Sir, perhaps I should pay tribute and thank the outgoing members from the Deputies' benches. They are not in the House, but they have made a mark and a contribution to Island politics, and we thank them for what they have done. Likewise, I would like to formally welcome those members to the Deputies' benches who have freshly been elected and to perhaps ask everybody to ponder on a more sober note. The Island, as we know, is sailing into uncharted waters. There will be new opportunities to plumb and fathom the hidden depths of ministerial government. That means that there are going to be different styles and different systems of working. Under the old system, as we know, the opportunities for rubbing shoulders with our colleagues were greater than perhaps under this new system. Members will remember that it was common practice for the new members to perhaps be placed on 2 Committees, and that meant that you were able to begin to talk to and to socialise and to run political arguments through and alongside a number of members - counted in 10s or 15s. Under this new ministerial government we do have a rather different system whereby a number of new members have been accelerated to the top and the opportunities for rubbing shoulders with as many members, I think, has disappeared. With this in mind, Sir, I think I would like to

highlight 3 particularly memorable occurrences that I had over the last year, just to indicate the opportunities that members have got, particularly if they pursue their own initiatives, in order to flesh-out what it really means to be a politician or an effective politician in Jersey. One such occasion, Sir, was an invitation that was extended to members by the Conseil Général de la Manche to come back on one of those 3-masted sailing boats. Indeed, not many members of this House afforded themselves the opportunity to do so. I took it upon myself to persuade Deputy Peter Troy from St. Brelade that this was what he wanted to do and he didn't really want to catch the plane at an early stage or the boat at an early stage and have dinner with his wife, that he would rather spend a number of more pleasurable hours drifting at sea. To be fair, Sir, he warmed to this and even went out and purchased a new pair of what I thought appeared to be outsized black Bermuda shorts - but there we go - in case he was called upon to swab the decks. His knees haven't been the same since. During that time, we also had the opportunity not only just to talk to those members from Jersey who had elected to come back by that passage, but we also had an opportunity to speak to some of the Guernsey politicians who had done the same thing. I think vital, vital links were forged and communication was made with our politicians in Guernsey - something which will be of use in further years. A second occasion, Sir, that I remember quite vividly was a certain Senator 'Typhoon' Ted Vibert who was elected with a number of other members from our Scrutiny Panel to go on a mad-cap quick trip to Norway and back inside 12 hours. We managed to cadge a lift on a private jet and we went baggage style, but nonetheless there was a very, very useful opportunity not only to engage in long conversations with those members of Panel that otherwise wouldn't have happened, but also to talk to the officers not only of the Department but the Scrutiny officers as well, whilst at the same time bridging the gap, so to speak, and giving a member of the public an opportunity to play a very much appreciated part in allowing us to use his private jet. The third memorable occasion, Sir - in fact there were more, but I will limit it to 3 - was a chance that I had had in France again to engage with our Chief Minister, Senator Walker. I managed to keep him up for half the night over a number of brandies - I won't tell you how many, Sir, but I counted them on the fingers of one hand - during which we managed to have a very, very far reaching, frank and open discussion. I was most surprised and encouraged the next day when he came up and spoke to a number of members and suggested that the very essence of being a politician in Jersey and something that perhaps he had missed and a number of other members had missed was the opportunities for social interaction. Indeed, Sir, he said that in the new House he would take it upon himself to invite all members on a frequent basis to his house in order to have political discussions and to chew the cud. I am waiting for the invitation to arrive. But, seriously, Sir, the point I am trying to put across is that we must take it upon ourselves to rub shoulders and to discuss things and to try and do whatever is best to bring out not only the best in people but to engage in sensible political talk in order to bring about what is best for the Island, because, by doing that, I feel that, in making what is best for the Island, we are playing our part in what is good for the world. So I would ask all new members and in particular the old ones to bring forward their New Year's resolution, if you make one, and to make extensive efforts to get to know one another and to resolve to work together irrespective of their political ideologies and background. With that in mind, I would like to wish from the Deputies' benches the best seasonal compliments to yourself and Lady Bailhache; and to the Deputy Bailiff and Mrs Birt; to his

Excellency, the Governor, and Lady Cheshire; to all the Law Officers and their families; to the Dean; to the members of the Greffe; to the Court Ushers and the tea ladies; and also to the Constables and the Senators. In the words of Tiny Tim from Scrooge, *'Merry Christmas everyone'*. Thank you, Sir."

8.4 The Bailiff:

"May I thank the senior Senator, senior Connétable and the senior Deputy most warmly for those good wishes. The tradition of Christmas wishes from the senior members of the banks of Senators and Connétables and Deputies reminds us, I think, that we are one Assembly. We have spent today and indeed some time 2 or 3 days ago electing Ministers and electing today those who will scrutinise the actions of ministers, but this small ceremony reminds us that we are all in a sense on the same side serving the public in the interests of democracy. When I was a very small boy I had a Hornby electric train, which some members of the Assembly - perhaps many are too young, but some members of the Assembly - will remember. One began by assembling the trains, the passenger trains, the goods trains, the passenger carriages and the trucks and then one assembled the trees and shrubs and put signal boxes, lights, the points, sidings and buffers in place. It seemed to me that that was a pretty good analogy for the process which we have been engaged in in the last few days. I won't suggest who might be the buffers and who might be the trains, but they are all in place. Another advantage, I think, of these exchanges of Christmas wishes is that it does allow one to bring to mind some very improbable mental images. We have heard of Deputy Troy on his knees scrubbing the decks and Deputy Duhamel playing the part of an angel. It reminds us again that this is a unified Assembly. So may I, in that spirit of goodwill, thank all those who have spoken for their warm good wishes and to reciprocate them to all members of the Assembly, their spouses and families? It has been a very active year. Highlights, I think, as the Constable of St. Martin mentioned, certainly must include the visit by Her Majesty The Queen and all the other events marking the 60th anniversary of the Liberation. It reminds us, as if we need reminding, of our close connection with the Crown. I appreciated, as I am sure did His Excellency, the good wishes extended to our Lieutenant Governor, who shows such a consistent interest in the affairs of this Assembly. So may I, on his behalf and on behalf of all the Crown Officers, the Viscount's staff, the Greffier's staff, the Chief Usher and all who serve this Assembly, wish Senators, Deputies and Connétables a relaxing and peaceful Christmas and New Year. May I join also, because one must not forget the third or perhaps it is the fifth estate, the media in those good wishes? Without the media, the public would have no means of judging what takes place in this Assembly and we extend, I am sure, collectively our good wishes to all of them as well. I thank members for their kindness and good wishes."

ADJOURNMENT

9. The Bailiff:

"That concludes the business of the Assembly. We reconvene in 2006."