

Witness Name : Paul Le Claire
Statement No : First
Exhibits: PLC1 - PLC29
Dated :

THE INDEPENDENT JERSEY CARE INQUIRY

EXHIBIT PLC22

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 13th MAY 2009

PUBLIC BUSINESS – RESUMPTION	4
1. Draft Housing (General Provisions) (Amendment No. 26) (Jersey) Regulations 200- (P.45/2009)	4
1.1 Deputy M. Tadier of St. Helier:	4
1.2 Deputy J.B. Fox of St. Helier:	6
1.3 Deputy J.M. Maçon of St. Saviour:	6
1.4 Deputy T.A. Vallois of St. Saviour:	7
1.5 Deputy T.M. Pitman of St. Helier:	7
1.6 Deputy F.J. Hill of St. Martin:	8
1.7 Deputy G.P. Southern of St. Helier:	9
1.8 Deputy P.V.F. Le Claire of St. Helier:	12
1.9 Deputy J.A. Martin of St. Helier:	14
1.10 Senator P.F.C. Ozouf:	15
1.11 Deputy D.J.A. Wimberley of St. Mary:	19
1.12 The Connétable of St. Clement:	21
1.13 Deputy S. Power of St. Brelade:	22
1.14 Deputy D.J. De Sousa of St. Helier:	23
1.15 Senator S. Syvret:	23
1.16 Senator T.J. Le Main (The Minister for Housing):	27
1.16.1 Senator J.L. Perchard:	34
1.16.2 Deputy M. Tadier:	35
1.16.3 The Deputy of St. Mary:	35
1.16.4 Deputy P.V.F. Le Claire:	35
1.16.5 Deputy G.P. Southern:	35
1.16.6 Senator P.F.C. Ozouf:	36
1.17 Senator T.J. Le Main:	36
Mr. W.J. Bailhache Q.C., H.M. Attorney General:	37
2. Committee of Inquiry: Reg’s Skips Ltd. – Planning applications (P.50/2009)	42
2.1 Senator F.E. Cohen (Minister for Planning and Environment):	43
2.1.1 Deputy P.V.F. Le Claire:	43
3. Committee of Inquiry: Reg’s Skips Ltd. – Planning applications (P.50/2009) – amendment	44
3.1 Deputy R.G. Le Hérissier:	44
3.1.1 Senator P.F.C. Ozouf:	45
3.1.2 Senator J.L. Perchard:	45
3.1.3 Deputy R.G. Le Hérissier:	45

Senator P.F. Routier:

All right, I propose the adjournment, Sir.

The Deputy Bailiff:

The adjournment is proposed. Do Members agree to the adjournment?

The Deputy of St. John:

Why do we not try and finish the business?

The Deputy Bailiff:

You have your proposition, Deputy.

The Deputy of St. John:

I am hoping they will all support it.

The Deputy Bailiff:

Do Members want to vote? All those in favour of the adjournment, kindly show? Those against? The adjournment is agreed. One moment, Members, I am so sorry, before formally adjourning can I inform Members of 2 matters which have been lodged. The first one was lodged yesterday but was not announced, that is States Employees' Pay Increase for 2009-10 - Projet 68 - lodged by the Deputy of St. John. Secondly, lodged today, Commissioners of Appeal for Income Tax appointment - Projet 70 - lodged by the Minister for Treasury and Resources. There is one other matter I think I would like to mention. I have been informed that the Dean was taken into hospital yesterday and is undergoing tests so I am sure Members will wish him a speedy recovery. [Applause] Very well, adjourned until 2.15 p.m.

LUNCHEON ADJOURNMENT

The Greffier of the States (in the Chair):

Twenty-six Members are present, I therefore, in accordance with Standing Orders, request the usher to summon the Members. Very well, the Assembly is quorate and we now move to the next item of business which is remaining on the order paper, although there was a decision yesterday on moving the order, which is Family X: Placement in the United Kingdom.

Senator P.F. Routier:

Excuse me, Sir, I believe the media cannot hear.

5. Family X: Placement in the United Kingdom (P.62/2009)

The Greffier of the States (in the Chair):

Deputy Le Claire, I understand you wish to proceed with the debate.

Deputy P.V.F. Le Claire:

Yes, I believe it is something that will give the Assembly 'belt and braces' in respect of this family. I do not believe there is a need for a lengthy debate and I would just like to move straight to the vote after it has been proposed.

The Greffier of the States (in the Chair):

That will be a matter for Members, Deputy, if you propose it the debate will be opened and every Member will be entitled to speak. So I will ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion; (a) to request the Minister for Health and Social Services to take the necessary steps to ensure that the X children are moved as soon as possible to the United Kingdom placements that have been identified as suitable for them; and (b) to request the Minister for Treasury and Resources to assess whether the funding required for these placements can be identified through the reprioritisation of existing heads of expenditure and, if not, to further request the Minister to bring forward for approval a request under Article 11(8) of the Public Finances (Jersey) Law 2005 for the necessary additional funding to meet the cost of these payments in 2009 in view of their urgency and to then make appropriate provision in future annual business plans to meet the on-going annual cost.

5.1 Deputy P.V.F. Le Claire:

The Minister for Treasury and Resources has already very kindly agreed to fund the money to get the children to the place that they need to go. The Minister for Health and Social Services has made a very good decision at an early stage, this will ensure that the request is made as a States decision to request the Minister for Treasury and Resources to provide in future annual business plans the ongoing annual cost and I make the proposition.

The Greffier of the States (in the Chair):

Is the proposition seconded? [Seconded]

5.1.1 Connétable J.M. Refault of St. Peter:

Yes, I second the proposition and if I may just have a few brief words. I think - through the Chair - Members you will have seen Deputy Le Claire yesterday and the reaction when he first spoke about Family X. I too have come into contact with Family X and everyone that has either worked with them or has met them have the same reaction. I would implore Members to respect the privacy and to go straight to the vote, if possible. Thank you.

5.1.2 Deputy G.P. Southern:

Since yesterday we set a precedent that words can mean what we choose them to mean then it matters not today that some of this has already been done. I think we can take it as read. But what is important is that funding is identified for the subsequent years so we are not in a stop-go position. That clear instruction from the States goes to the Minister for Treasury and Resources that the funding will continue into the subsequent years and that is an important thing to read into this proposition and why I support it.

The Greffier of the States (in the Chair):

I call upon Deputy Le Claire to reply if he wishes.

5.1.3 Deputy P.V.F. Le Claire:

I thank once again the Minister for Treasury and Resources, the Minister for Health and Social Services and the Constable of St. Peter and Deputy Southern for their remarks and ask for the appel, please.

The Greffier of the States (in the Chair):

Very well, the appel is called for on the proposition. If all Members are in their designated seats the Greffier will the opening for or against the proposition of Deputy Le Claire.

POUR: 38		CONTRE: 0		ABSTAIN: 0
Senator S. Syvret				
Senator P.F. Routier				
Senator P.F.C. Ozouf				
Senator A. Breckon				
Senator S.C. Ferguson				
Connétable of St. Helier				

Connétable of Grouville				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Saviour				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy K.C. Lewis (S)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy A.E. Jeune (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy M.R. Higgins (H)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

6. Code of Conduct for Elected Members of the States: review (P.63/2009)

The Greffier of the States (in the Chair):

We come now to the proposition in the name of the Deputy of St. John: Code of Conduct for Elected Members of the States: review. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to request the Privileges and Procedures Committee to review the Code of Conduct for Elected Members of the States and the sanctions available for breaches of the Code and put forward measures to ensure that States Members maintain acceptable standards of behaviour when undertaking their public duties.

6.1 The Deputy of St. John:

Over the years in this Chamber I have seen certain behaviour of our elected Members which concerns me, whether it be a senior Senator chastising a new Deputy for the manner in which he presented himself when speaking, or when I was in the Chamber in the mid-1990s when Senator Syvret was removed from the Assembly by the Speaker of the day. I was also present in 2005 when, in the Members' computer room, 2 Senators came to blows. I recall some 5 or 6 years ago on a royal visit when a Member failed to stand for our royal guests and I asked that Member why they had not stood. Their reply was that they had no time for the royal family. So I put a second