



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Friday, 1st July 2022**

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**Present:**

R. J. McMahon, Esq., Bailiff and Presiding Officer

**Law Officers**

R. Titterton, Esq. Q.C. (H.M. Comptroller)

**People's Deputies**

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S. P. Haskins	A. W. Taylor
M. A. J. Helyar	L. S. Trott
N. R. Inder	S. P. J. Vermeulen

**Representatives of the Island of Alderney**

Alderney Representatives S. Roberts and E. A. J. Snowdon

**The Clerk to the States of Deliberation**

E. Atkinson (Deputy Greffier)

**Absent at the Evocation**

Deputy C. P. Meerveld (*relevé à 9h 33*); Deputy C. N. K. Parkinson (*relevé à 9h 46*);  
Deputies A. C. Dudley-Owen, J. P. Le Tocq (*indisposé*);  
Deputies S. J. Falla; A. Gabriel, G. A. St Pier (*absent l'île*)

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# States of Deliberation

*The States met at 9.30 a.m.*

[THE BAILIFF *in the Chair*]

## PRAYERS

*The Deputy Greffier*

## EVOCATION

# Billet d'État X

## POLICY & RESOURCES COMMITTEE

### 1. Government Work Plan 2022 – Debate continued

**The Deputy Greffier:** Billet d'État X, Government Work Plan 2022 – continuation of general debate.

5 **The Bailiff:** Deputy Meerveld, is it your wish to relevé?

**Deputy Meerveld:** Yes please, sir.

**The Bailiff:** Thank you, very much.  
We will mark you present.  
10 Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

I have some difficulty with Proposition 1 because of course I have to vote for it, of course I do, because if I did not I would not be voting for (i), (ii), (iii), all of which are absolutely top priorities.  
15 But the stuff that has been added underneath, with respect, I still feel is introducing into our planning procedures something that is completely oxymoronic. People would actually look at the supplementary guidance notes and say, 'Oh, that is what the policy is, then, over this.' And the DPA would have to say, 'No, that is what we have been instructed to tell you our policy is in the supplementary guidance notes but actually it is not the policy at all. The policy is something  
20 different.'

So I just want to put on record that, in voting for Proposition 1, which I have to, I still think that that is a very confusing and strange thing for this Assembly to have done.

I am going to be voting for 1C, certainly. A couple of people have said that they would not. I am a democrat and I accept the decision of the States over 1C. I make no apology for passion, which  
25 was not in any vain but absolutely genuine. I remain of the view that trying to sell off any of our

inadequate stock of social rental housing at a time when we are nowhere near having enough to satisfy the overwhelming demand for it, is a strange message to send out, a strange direction to take.

But we have been instructed, ESS have been instructed, to look at the idea, and we will do so objectively and we will bring back a report with the pros and cons. I have absolutely no problem in taking democratic direction.

I would like to join with Deputy Meerveld in saying that under 18, I think it is such a big departure from the way we carry out policy planning that I would like some kind of details to be brought back to the Assembly because there is no doubt the people who design that scheme will have a lot of power in actually deciding what the outcome is.

And I think there was a bit of confusion, really, over two issues when we debated the amendment that led to Proposition 18. One was people being open on what their instinctive political agenda was, not fully informed but instinctive political agenda and I have no problem with that. I look forward to filling in the form in whatever form that may be and have no problem with it being made public.

The issue that I have and still have is the degree to which that is going to determine the priorities that come forward in the Government Work Plan. Because if we are going to be saying this scored an aggregate score of 120 and amongst all States' Members so that will be a priority, but this one only got 108 so it will not, even when we have built that in on just the basis of hunch really, 'Oh, I like that idea but not that one, even though I have not heard of the details yet or debated ...' that would be an enormous backward step. So please can P&R come back to this Assembly explaining how this process is going to work, because otherwise I think it might undermine objective policy planning.

I cannot sit down without saying a few words about Proposition 14 or 14B in particular. Yesterday, I thought that Deputy Prow seemed to be making heavy weather and struggling with a fundamental difference between two very different concepts and both concepts have potential merit. The first is responding to the personal use of not just cannabis but any drug as being more of a health issue than a criminal one and looking to avoid a penal response to those individuals involved in personal use.

Now, I understand, from what he said, that that is what Deputy Prow does support investigating and indeed it would be a step forward. Over the last 50 years, I have seen far more harm than good by Guernsey's strict regime on illegal drugs. It has done, in my view – there is no empirical evidence, I know – almost nothing to reduce drug use in Guernsey.

Cannabis is and always has been widely used in the Island. Prohibition does not work with widely used substances. Prohibition can work when it is a substance that very few people would want to use, like heroin for instance. But, just as, in America with alcohol, or cannabis in Guernsey, trying to deal with something you do not particularly like, through prohibition, very rarely is successful.

But at the same time it is failing in its aims, that strict regime has made a complete shipwreck of so many lives of people who cannot in any way be described as 'criminal types'. Let me give you a classic case. A couple of years ago, I went to see a lady of a certain age, in a sheltered housing complex. She could have been anybody's aunty. Not remotely criminal in nature. She was in a wheelchair because of progressive multiple sclerosis. She had resorted in desperation to self-treating her condition by ordering some cannabis oil online. The package was intercepted, so she still has not ever tried cannabis in her life, and she spent a distressing night in the police cells.

Now, let me stress, she was not sent to prison but, as a result of her conviction, she is no longer able to visit her adult daughter, a doctor I seem to recall, who lives in North America. Why? Because she has a drug conviction, even though ironically, in the country she wants to visit, this would not be treated as a criminal matter. But their rules on entry say that if you have got a conviction for narcotics elsewhere, you will not be allowed into the country.

So I do, like Deputy Prow, I think, support a non-penal response to personal drug use. But such a policy has limitations. For example, the supply of cannabis would remain completely illegal. People might say, 'Well that is a good thing.' Let's turn that around. Let's put it the other way. All of those

personal users, who we are suddenly going to treat with compassion, treat it as a health issue rather than a criminal matter, will still have to buy their cannabis from criminal pushers and that carries many dangers. No quality control. God knows what the cannabis they are buying might be cut with. No certainty over the THC levels of what they are buying. And of course, by the very nature, because they are buying from an illegal drug pusher, it really opens up the vector of opportunity to access other, more dangerous drugs.

Worse still, in my mind, the illegal suppliers will still be enjoying a lucrative market in Guernsey and I do not want them to. By contrast, legalisation and regulation removes many of those dangers. How practical that would be in a community of Guernsey's size, how complex the regime would have to be –

**Deputy Vermeulen:** Point of correction, sir.

**Deputy Roffey:** – I do not know.

**The Bailiff:** Point of correction, Deputy Vermeulen.

**Deputy Vermeulen:** Sir, I fear that Deputy Roffey is inadvertently misleading the Assembly. I do not know what evidence he has got but certainly when we look at jurisdictions that have legalised it that clearly is not the case. Cannabis use has increased and the underworld is the largest supplier of illegal drugs, even though there is legislation. So unfortunately he is misleading the Assembly.

**The Bailiff:** I am not persuaded that Deputy Roffey is misleading the Assembly in what he is saying. He is portraying a view that he wants to put forward and I think it would be helpful if Members allow people to say what they have got to say, particularly if they still have the opportunity to speak in debate themselves and say what they want to say. (**A Member:** Hear, hear.)

So, Deputy Roffey to continue, please.

**Deputy Roffey:** Thank you, sir.

I have to say that what Deputy Vermeulen said in that spurious interruption may be true for some countries that have decriminalised. Therefore, decriminalise is totally different to legalisation and regulation because it is still the criminal market that are providing the drugs, even though the users have been decriminalised. That is not the experience in places like Canada, as I understand it, who are one of the few countries that have gone for legalisation and regulation.

So, as I was saying, I do not know how practical it would be because I do not know how complex a regime would need to be. But there would be a regime. So what Deputy Prow was saying yesterday about there being suddenly no legal restrictions if cannabis was legalised – how can it be because it was legalised? – is not true, because it is not just legalisation. It is legalisation and regulation.

So, for example, alcohol is illegal – sorry, it was once in America I know, alcohol is legal – but that does not mean I can go home tonight, set up a still and brew hooch or moonshine, start selling it on the streets and making people blind. There would be serious consequences. I know there are serious consequences to an illegal still because my late wife's father was sacked by Guernsey Post for running an illegal still on the premises. They only found out when former Deputy Leon Gallienne, who was a 15-year-old telegram boy was found weaving around the site! But I am diverting slightly ...

So, controls on quality, THC levels, age of purchasers, I think it is worth looking at. I am not saying that I will necessarily support it. I do not know how practical it would be for Guernsey, but I think it is worth looking at. In fact, I do not think we have got any choice but to look at it. I think the cannabis genie is so far out of the bottle that we are going to have to look at it. The only question is how we go about that.

I mean, 1,000 medical cannabis users. How much of that is leaking onto the recreational market? And by the way I do not believe that cannabis is harmless. I do not believe it is harmless, nor do I

130 accept that it is some wonder plant that cures all ills. I accept it can be damaging and in some cases very damaging. But I do not want to be a hypocrite. When I get home tonight, I am going to be opening a bottle of Bruly. Then, after four days in this Chamber, I will probably drink far more of it than is good for me! Actually, after this, the decision about investigating selling off social housing, I might even round it off with a Calvados!

135 Not very wise, I do not advise it. I am doing myself no good. I am a lost cause. But at least I know my chosen poison would be well-regulated from a respectable supplier and it will not lead to my life being ruined by being criminalised, even though alcohol causes just as much grief in this world as cannabis and probably more.

140 Two thoughts in closing. Just like Deputy Meerveld, I used to live somewhere where cannabis was readily available. In fact, it was legal. I could buy it from government-registered shops. Unlike Deputy Meerveld, I did not show quite as much resolution in making sure that I did not take advantage of that situation, so I fess up many decades ago! I have not used cannabis for many decades but I bought it perfectly legally and used it when I lived in India before America said to them, 'You shall make this illegal.'

145 I have to say there was not much alcohol around in most of the states in India in those days. Most of them were dry states. Now it has swapped completely around and the harm I see, when I go back, from the alcohol abuse in that country, compared with the harm I used to see from cannabis use when I was young, I think they are in a worse situation now their drug of choice has swapped to being alcohol.

150 Finally, sir, I say that the cannabis genie was out of the bottle and the States need to discuss it somehow, and I just think that is true. Much of the rest of the world is moving in this way. We have 1,000 medical users. We know we have many thousands of recreational users. We cannot avoid debating it. So the choice is either through a well-researched investigation, by the Committees with a mandate to do that, or by the requêtes that will, I think, almost inevitably come to the floor of this Assembly.

155 Now, I prefer the former. So even if I was implacably opposed to legislation – it is clear from what I have said I am not, but even if I was – I would prefer to let an investigation go ahead and have an informed debate on the floor of this Assembly, rather than the requêtes that I think are absolutely inevitable.

160 So, all 14B suggests is letting HSC do the initial scoping work, leading to such a possible investigation. I think that has to be the right approach to an issue that we cannot avoid debating. So I urge people, whether or not they are instinctively completely against legalising cannabis, or whether they have a lot of sympathy for it, to let that process go ahead, so that we can have an evidence based discussion. Because this is not something we can just close our eyes and ears to and believe it is going to go away.

**The Bailiff:** Deputy Parkinson, is it your wish to be relevéd?

**Deputy Parkinson:** Yes please, sir.

**The Bailiff:** Thank you very much.  
Deputy de Lisle.

**Deputy de Lisle:** Thank you, sir.

175 I would like to speak on Proposition 7, energy resilience. Sir, our Government needs to speed up renewable projects so Guernsey is no longer so reliant on foreign countries for energy. We need to place renewables as a central pillar of economic recovery. The cost of energy and carbon emissions will continue to rise for the Island unless there is support for investment in renewables.

180 With the Government likely to mobilise significant spending to reinvigorate the economy, surveys of more than 200 of the world's most senior economists and economic officials suggest that spending this money on climate-friendly green policy initiatives could not only help shift the



world closer to a net zero emissions pathway but could also offer the best economic returns for Government spending. The findings suggest that a post-crisis green stimulus can help drive a superior economic recovery.

185 By the end of this States' term, we need to reform the energy policy to direct the States to move many times above the 30 megawatt ambition of the PwC consultants' report for solo micro, macro generation. Energy independence solves our climate change obligations, as well as providing a post-pandemic economic recovery. This is something that we can initiate immediately, to include an evaluation that a fast-track micro-renewables uptake would make on our economic system.

190 There is increasing apprehension, sir, about a second link to France. This is due to the fact that 90% of maximum needs already provided by the existing cable through Jersey to France and the need for energy independence and security in any new renewable developments. The recent threats from the French ministers to cut the supply of electricity to Jersey has shaken confidence in committing to a further cable connection for electricity supply from France.

195 Sir, the private sector expresses frustration at the lack of progress in the energy sector and constant barriers set up against progress being made in terms of renewables. Businesses wish to invest in large solar projects across the Island and want the go-ahead without these impediments. Like the UK, we need to unleash a clean energy revolution that boosts jobs across the Island, making our transport, our power, our housing fit for the future and renewables certainly is an answer to that particular problem and I commend that direction wholeheartedly to the States of Guernsey.

200 Thank you, sir.

**The Bailiff:** Deputy Brouard.

205 **Deputy Brouard:** Thank you, sir.

I would like to start off, this is probably an unusual thing for me, to say thank you very much for Policy & Resources and especially to Deputy Soulsby and her team for the proposals and the papers we have in front of us. Each year, they get slightly better and slightly sharper and I commend them for that.

210 I would like to also start by acknowledging the inclusion of a number of actions in the Government Work Plan that support the work of the Committee *for* Health & Social Care. Some new and some retained from the last iteration that are already underway. Things like the backlog, in particular, at the Hospital.

215 There are many pressures, both local and international, that are facing the Island at this time and it is encouraging to see that the Government Work Plan recognises this and is looking to ensure that key actions are prioritised and adequately resourced.

220 The Committee, in particular, welcomes the fact that several workstreams have been placed into category one. For HSC, this includes the review of the Children Law, which is hoped to be returned to the States in the autumn, to tackle the causes of delay and duplication in the family justice system, and to deliver more timely outcomes for children.

225 Proposals to increase the affordability of primary care appointments, to review the existing funding arrangements for aids and adaptations and progressing a number of actions as part of the Supported Living and Ageing Well Strategy have also been identified. This work is critical to ensure that we have proper care provision in the Island that is affordable, available and sustainable in the face of growing demographic and financial pressures.

There also remains several pieces of work which, once completed, will have significant benefits for the community. This includes important pieces of legislation such as the finalisation and implementation of the Capacity Law, progressing of the Adoption Law, Health and Care regulations and organ donation legislation.

230 There are a number of workstreams supporting the ongoing transformation of health and care, which will improve how we work operationally, including the delivery of our hospital modernisation programme and also the replacement of the Electronic Patient Record System.

235 The Committee also welcomes new actions, which have been added to this iteration of the Government Work Plan and is please to support Policy & Resources in the negotiations and implementation of the proposed Reciprocal Health Agreement due to be debated by the States next month.

240 In its discussion on the Government Work Plan this year, the Committee *for* Health & Social Care, by a majority, determined that there was appetite for a debate in this Assembly about whether to review the regulation of cannabis. My own view, which I have expressed in Committee, is that there are other areas of work for HSC that I feel should be prioritised above this, which would have greater benefit to more people. However, I recognise that others have a different view and I will pick this up separately in a moment.

245 As the Government Work Plan also identifies, HSC will continue its work to manage the response to the COVID-19 pandemic. Actions include the ongoing rollout of the vaccination programme in a targeted way and maintaining a responsive, risk-based testing strategy to ensure that the Bailiwick remains vigilant and prepared against a virus at any time and hopefully, when things thankfully will now be starting to return to normal.

250 And finally I would just like to add and welcome particularly the focus in the Government Work Plan on housing and it is encouraging to see that this is being given category one status, with particular action to address key worker housing capacity and affordability. The ability of HSC to offer its core operational services and to further deliver what is set out in this Plan very much depends on the success of efforts to recruit and retain staff and we recognise that the availability of sufficient key worker housing to meet a range of needs is an important part of those efforts. This will not only benefit the Health Service but also other important services in education and Law Enforcement.

255 The Committee remains committed to the Government Work Plan and to accomplishing what is contained in it and I firmly believe, so long as resources are appropriately allocated, we can deliver on this ambitious agenda in a way that can impact the lives of all Islanders and continue to enhance the provision of health and care.

260 As I said I was going to touch back on cannabis in particular, I am unfortunately going to have to use my computer machine but every time I leave it to rest for a minute it decides to close down. One thing I just want to pick up on is why are we here? Why on earth are we bringing this by a majority of HSC?

265 I just want to go back to part of the history to it and what extant Resolution we have that our team is now bringing forward. I personally do not think it should be brought forward at this time but nevertheless the point I am trying to make is that there is a good reason why it has been brought forward and it has been slightly muddled, sometimes, as to why we are doing it.

270 Oh no, I have just made it smaller – I cannot even read it! During the Assembly's July 2020 debate, on the Committee *for* Home Affairs' green paper, entitled *Guernsey Justice Review – Final Report 2020*, the Committee *for* Health & Social Care and the Committee *for* Home Affairs Justice Review Report, a *sursis motivé* was approved. The resulting Resolution 3 was rescinded and replaced in the Government Work Plan and it now reads as follows, and I think it is useful and I will highlight the bit that we are picking up on:

The Committee *for* Health & Social Care and the Committee *for* Home Affairs shall report back to the States with options for alternative and non-punitive approaches to the possession and use of small quantities of illegal drugs, including but not limited to cannabis. as soon as resources are available, as established by the Government Work Plan, which will take into account, 1, the need to promote the health, wellbeing and safety of people who use drugs and of the wider community and, 2, any evidence collected including the commissioned independent reports on the review of the interaction of health and justice systems in relation to possession of drugs for personal use.

275 I think just stopping there, that part of it is covered, we have had a working party between Home and Health and that working party will be reporting shortly on those who are found in possession of small amounts of drugs. But this is the bit which we still have outstanding and it is:

3, the potential for moving from a regime governed by the criminal law towards a partly or wholly regulated approach to all aspects of personal drug use.

I will just repeat that again:

3, the potential for moving from a regime governed by the criminal law towards a partly or wholly regulated approach to all aspects of personal drug use.

4, the results of consultation with the community and key stakeholders in respect of such alternative options.

280 So that is the piece that is appearing in 14B, that you have today, that the Health team by a majority is putting forward. If you genuinely, if you *really* genuinely, want to have legalisation or decriminalisation of cannabis then vote for 14B. That is a completely legitimate place to be. But please do not go there, as we often do, as a way of putting off making that awkward decision. If you really do not want to have the Island with a decriminalisation of cannabis or legalisation of  
285 cannabis, then stop it now. But have that backbone to do it now.

If you are concerned, like we all are, those who are found in possession of small amounts of drugs, this is shortly going to be brought to the fore, following this joint working party on the alternative and non-punitive approaches. My personal view is I think cannabis is kept to the fore by a minority. I do not believe it is the majority of the community that is asking for this change. I really  
290 do not think so.

Now when it comes to priorities, we can prioritise Public Health to do whatever we want. Whatever it is that we choose. But whatever we choose to do, something else will not be done. You cannot have the penny and the bun. And I agree with Deputy Prow: is this really a priority when we have all the issues in health, from how a small Island will gain healthcare in the 21st century, the  
295 levels of obesity, what can public do for long-term health of Islanders. Is reviewing the recreational use of cannabis really your priority? Is that the message you want to send out?

With everything else that is going on, where you can make a real difference to people's lives, you want to spend your time looking at the recreational use of cannabis. In some sort of other world, maybe, but not in mine. Not from the phone calls that I get. Not from the phone calls from  
300 the people who have got people in hospital who are ill. Not from the people who want to have us to have better systems.

Whatever we put Public Health to they will do it and they will do it with vigour and they will do it well. But is it really, after a war, after a pandemic, after Brexit, you want to spend your time having an important and very professional outfit looking at the use of cannabis? To be fair, I also did not  
305 vote for the review of Public Health to look at their own systems. Again, I think there are other more important priorities.

One thing that has happened and I think has changed the landscape is that we have been able to allow cannabis on the Island for medical conditions and I think, as Deputy Roffey mentioned, he mentioned some people who had multiple sclerosis, my father was in exactly the same position, he  
310 would very much have liked to have used cannabis for multiple sclerosis – this is going back nearly 30 years – but it was not available. But it is now.

So anybody who has got a medical condition that can be helped and they can go to the doctor either locally or through the UK, they can get the cannabis that they need, that helps them in their conditions. I have no problem with cannabis for medical conditions. This has been facilitated by  
315 HSC and we have put in a lot of work, both by our pharmacist team and also by the Committee itself, as we make the rules and the costings that go along with that.

I am also sure that in due course cannabis will receive more NICE approvals as at present they are quite limited. There are certain conditions where NICE gives approval for cannabis.

I think somebody mentioned yesterday about it is a magical plant. Well there are lots of magical  
320 plants. Herbal plants, different plants. You have the opiates. The use of opiates, the poppy plant in particular, for morphine and pain relief in a controlled way, absolutely excellent. But there is a completely different use of the opiates as a recreational drug called heroin and I think we just need to make sure that we split the two different things The use of substances for health conditions and the use of substances for recreation.

My final point is this, really: do not tease the family by having the brochure to go to Disneyland if you have got no intention of going there. If you have got no intention of going to Disneyland, do not leave the brochure around for the kids to say, 'Dad, can we go to Disneyland? Now look at the brochure.' Be brave enough, if you really do not want to go to Disneyland, do not put the brochure out there. Be honest and say, actually, at this time, we have other priorities and we do not want to be debating whether or not we should have the legalisation or decriminalisation of cannabis.

Thank you, sir. I will ask people to vote and I will be forced into that position but I will be voting for 14A because the alternative is far worse. And I would encourage everyone to do the same. Thank you very much, sir.

**The Bailiff:** Deputy Moakes.

**Deputy Moakes:** Thank you, sir.

I am generally happy with the final GWP documents and, like many other people have, I would like to thank Deputy Soulsby and the rest of the team that worked tirelessly on this rather large document to put it in the position it is today. I was, as I said previously, disappointed with the engagement by Members. We need more people participating because this is a really important document which gets renewed each year.

I was also slightly disappointed that some of the priorities identified in the consultation did not make category one status. Having said that, some of the priorities are spot on: Moneyval, housing and population policy are critically important. We have got to pass the Moneyval evaluation. We urgently need to build more homes and we need to find ways of filling the huge number of open job positions that we have on the Island.

We have near zero unemployment so we need people to come and work in Guernsey. But going back to housing, how are we going to do that if we cannot build enough houses even for locals? Energy resilience and renewables are subjects close to my heart, so I am pleased to see them included, as well as climate change and the blue/green economy, which has massive potential for the Island.

But we need action and we need action now because there is huge pressure on fuel and electricity resources all around the world. Skills and human capital are great but with near zero unemployment this is going to be a challenge and, if it is successful, unless we do attract more people to come and work here, all we are doing is moving people into different roles and creating gaps elsewhere in the economy.

Health recovery, as Deputy Brouard has just said. Well he did not say this was the reason but he did mention it, I would argue that the best way to deliver a health recovery would be to provide housing for nurses and other health professionals, so that we can fill all the open positions and be in a position where we can operate at full capacity. Once again: housing.

However, what was a little surprising was what was not included within category one. The general economy hardly gets a mention and the employment emergency that the Island currently faces hardly features at all. Presumably, it is incorporated under population. Well, I am sorry, but the employment emergency has got to point where many businesses are struggling to operate, let alone grow. Open job positions are estimated to be anywhere between 1,000 and 3,000. Even if the number is at the lower end of the scale, consider the Income Tax that we are missing out that pays for our public services and what about the lost spend in our shops and restaurants? The employment emergency should be a category one item in its own right.

Then we get to 14. I find this a very odd debate. We have a choice. Vote for A, pandemic strategy, or vote for B, drug strategy. Yet both are already in the GWP so why are we actually having this debate? Both will be progressed.

I have thought long and hard but I will be voting for A. Why? The pandemic has killed millions of people around the world. New variants are still emerging and I think we have around 700 cases currently on the Island. Around about that number, anyway. The cost to the global economy has

been vast and it has led to shortages of goods and adversely affected supply changes. It is partially – not completely – but it is partially responsible for rises in the cost of living and also inflation.

It has led to huge increases in mental health issues and children's education has been affected. I could go on and on but the pandemic affected everyone and anything we can do to prepare for the next one – because there *will* be – has got to be good.

On a separate note, nobody has actually mentioned, or I have not heard anybody mention, what our Director of Public Health and other professionals think about A and B. I would be quite interested to know which they would prioritise above the other. But as for me, it will be A for the reasons I have already said.

Thank you.

**The Bailiff:** Deputy Parkinson.

**Deputy Parkinson:** Thank you, sir.

Well first of all I need to congratulate Deputy Soulsby and her team for this mammoth piece of work and I sympathise with her. Unfortunately, 'strategic planning', in inverted commas, has a chequered history in the States of Guernsey and I well remember the voting by straws episode at the bowl, which Deputy Roffey referred to. That took place under what was then called the Government Business Plan development, led by former Deputy Stuart Falla.

I had a role in this process myself in that the next States, between 2008 and 2011, I was chair of what was then called the States' Strategic Plan team, which Deputy Gollop mentioned yesterday. All of these plans have met, unfortunately, with the same fate. And that fate was that the next Assembly following has chucked them straight in the waste paper basket. I hope that the Assembly of 2025 will have the sense to build on the work of its predecessors rather than simply assuming that everything done by the last States was rubbish.

In relation to the subject of engagement, which was raised yesterday, my only comment would be that all of these processes have been predicated on the same philosophy, which is the consensus system of government. These plans are supposed to have been a process for reconciling differing political ambitions in a Chamber of independent Deputies.

It is not a process compatible with an emerging party political system, where a majority have separately decided what they want to do before we even enter the Chamber and I think, as we seem to be moving in that direction, we will likely end up with a position where a ruling coalition are elected effectively on a manifesto and their manifesto becomes the Government Business Plan or whatever it is, by then, called.

Now, on the subject of what is in the Plan. I, like others, find the false dichotomy presented to us in 14A and 14B decision rather objectionable. These are two totally unrelated workstreams and to play one off against the other I do not think has been helpful. So I resent having to make a choice between the two.

But, nevertheless, I am going to have to vote against 14A to enable us to discuss 14B and to vote on it. And I will vote in favour of 14B. I briefly started to mention my views on this the other day. I cannot see any benefit in maintaining the current illegal status of cannabis and I believe it does an enormous amount of harm in our community and it costs the States of Guernsey an enormous amount of money.

I think a legalised and regulated market in cannabis is the way forward because then we can control what people are consuming, we can limit the THC content in what they are consuming and we can control the people who supply them and tax the profits, indeed, of the industry. Like Deputy Roffey, I accept that cannabis is not always a good thing, beneficial for one's health, but we allow other substances which are not beneficial to health, indeed detrimental to health, in a regulated market.

So the sale of tobacco, the sale of alcohol are the two obvious comparators and I believe that the time has come to have a discussion about how this might be done. Now, obviously, we are just giving a sort of permission here, if we vote for 14B, for the Health Committee to go away and do

the preparatory work on what might need to be done to bring about a development of the law on drugs generally but I think cannabis in particular.

430 I disagree with those who regard this as not an issue of public importance. Yes, it only affects a minority of people in this Island, what some had referred to as a noisy minority, but there are many issues in our Law which only concern minorities of people on the Island. We have regulations around shooting and all kinds of other activities, which the majority of us are not engaged in and do not wish to engage in. But that does not mean they are unimportant. Those regulations need to be in  
435 place.

Although this possibly only concerns, whatever, 10% of the population, I have no idea, to those people it is a very important issue and I said the other day, we are here to represent the people and that does not mean we represent only any group that commands 51% of the population. We have to represent all of the people and for those people who are affected by the laws on cannabis, this  
440 is a very important issue and their concerns deserve to be considered responsibly and we need to take them seriously.

So I would urge Members, unfortunately, to vote against 14A and I have no objection to the work that is proposed under 14A and, like Deputy Moakes, I can perfectly well see why it would be a good thing. I resent having to make this choice but if I have got to make a choice then I would  
445 say there is more public interest in sorting out the Law relating to cannabis than there is, frankly, in detailed regulations on COVID, which most people now – rightly or wrongly – think is an issue that is behind us. So that is where I stand, Members. I will be reluctantly voting against 14A and in favour of 14B.

Thank you, sir.

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**The Bailiff:** Deputy Murray.

**Deputy Murray:** Thank you, sir, and I think maybe just to pick up on the point just made by Deputy Parkinson, I think what we need to be concerned about here is context and I raised this  
455 issue yesterday because it is the context of the decision-making that actually should drive us, not the voices of either the minority or the majority.

Thankfully, we are now in the open debate on the Government Work Plan and what I would like to ask is what is the context, which enables us to make decisions about the various Propositions before us and why is that actually important?

460 I would like to consider it this way and I would like to take a scenario, a very important scenario, something of importance. If we collectively decided that in dealing with the immediate challenges we undoubtedly face, we needed to be very mindful of the impact those decisions might have upon the known longer term future, which our ageing demographic is the dominant consideration of our economy.

465 I mean, it is a serious concern. It is contributing substantially to projected structural deficit to which our apparent answer is to simply raise taxes. But if we followed that logic we will face ever-increasing taxes because that imbalance in our economy will become even greater. Now, even those Members who have a very strong desire to create a more equitable society will realise that model eventually implodes if there are not enough actual taxpayers to support that ageing demographic  
470 to make the sums add up.

So my scenario for context is not something fluffy, a word I know that Deputy Ferbrache is not particularly happy with and he has coined it a few times this week. But through that lens what would our priorities be and what would we need those decisions to deliver? So let us take housing, number one on the GWP list, which we are all agreed is an immediate issue, clearly now magnified due to  
475 all manner of external factors and quite rightly the very top of the agenda. Given the context of an ageing demographic, for example, we would probably allocate greater resource to residential care provision, population management, another one high on the agenda.

If we are worried about not having enough taxpayers, well clearly we need inward immigration. But that is closely tied to skills and human development, another item on the agenda. But what sort

480 of immigration and what sort of skills will be given priority if our context is an inescapable, ageing demographic and what would that mean for our housing needs?

Well Deputy Trott, quite rightly, pointed out yesterday, that housing is only an issue today whilst we have a successful finance sector because, without that, our housing emergency would pretty much disappear because, of course, the price of housing would likely dramatically fall, as would our  
485 tax revenues.

But maybe the reverse is also true. The more successful our finance sector is, the higher housing prices might likely become as we seek to import more individuals to service it. So we have to achieve the right balance here. The context for our economy, particularly, that enables us to decide on what the Propositions contained in the GWP need to mean not just in outline but in practice.

490 Sadly, I do not believe the GWP as it stands gives us any idea of context. That is not meant to be a criticism. It is a reflection of the mechanism we use to decide what this document contains, which is largely driven by our committee system, as Deputy Soulsby reminded us yesterday and indeed H.M. Procureur touched upon, that is the basis of our mechanism of Government.

The problem there is that each Committee has its own context for decision-making. It is this lack  
495 of a future, joined-up strategy, vision, objective, call it what you will, that greatly concerns me and I will say here, since both Deputy Ferbrache and Deputy Soulsby are well aware, because we have approached them about this, I will include mention of my fellow Member, who cannot be with us today, Deputy Dudley-Owen, who is also troubled by this deficit in the GWP. Perhaps it is more apparent to us in Education because we have to plan 10 or 20 years hence for the journey and  
500 destination of our young people and what they need to be prepared for.

So, Members, for these reasons, I hope it is understood that without a context, a substantial amount of very good work that this document represents will largely only keep existing plates spinning, possibly try to add a few more, but it is not at all clear which of those need to be as opposed to which we want them to be or indeed what sorts of plates they then have to be.

505 Against that backdrop then, and in order that we at least carry on regardless, for this iteration of the GWP only, I am only going to object to one of the Propositions. That is number 8. It has not been mentioned before. Enabling climate change mitigation and adaptation. Now I have absolutely no problem with that objective. Humans have been doing it for centuries. We adopt ways of cooling ourselves when the climate is too hot, keeping ourselves warm when it is too cold. Without  
510 mitigations, the climate can be a harsh environment for us.

But there are two parts to Proposition 8. Let us take the first of those, extending the Paris Agreement in principle to the Island. I would contend that we have been far too eager to adopt international agreements beyond those that are necessary to comply with regulating our finance industry, for obvious reasons.

515 We rush headlong into this UN Charter and that one to demonstrate, it seems to me at least, we are a grown-up, mature jurisdiction and we can punch above our weight, be one of the big boys or girls. Well, Members, the reality is that we are a tiny speck on the world stage, with many limitations due to our physical size and the fact that we have an Island economy that imposes many limitations due to our lack of economies of scale.

520 Entirely true also, then, in terms of our much talked about emissions, or carbon footprint. It is insignificant on a global stage, on a global basis. For those who believe it will be the end of the world if we do not eradicate carbon from our atmosphere, and I have researched this issue to a considerable degree, whatever I believe does not actually matter. Carbon is the great Satan of our age to many people so we will do what is proportionate to our size to make sensible reductions  
525 over whatever period of time suits our circumstances, without adding an impossible addition to the enormous cost that the provision of energy already has.

This is what worries me about adopting the Paris Agreement. We will be obliged internationally with whatever the most recent COP can find common ground on, regardless of what its impact for us locally might be and there will be a cost and we do not know what that cost is at this point in  
530 time.

I would far rather that we make changes to our energy use that suit our circumstances at a pace which suits our economy and not have that imposed upon us by other, particularly larger jurisdictions. We do not need to sign up to the Paris Agreement to do that and I would say, with respect to those who believe we do, by simply virtue signalling, that we are indeed one of the big boys now.

I strongly suspect that the cost to our economy of that particular straitjacket will be far more than we have been led to believe and that leads me to the second part of Proposition 8, establishing an expert panel. I have never been a fan of quangos but this indeed is what this would be. We have reinforced several times this week that decision-making lies in this Assembly and the reason for that is because we were democratically elected, we were appointed to make decisions by Islanders.

If we cede that responsibility to an expert panel, we run many risks, not the last of which is who we might consider an expert. Because an activist is not an expert. And despite the great lie the science is settled, I can assure you that it is not.

I am a Master of Science, certainly not in climatology, but it imposes a rigour on you. Research. Research is at the basis of everything that we do in science. We do not look at what is said on the internet. We do not look at what social media tells you. You research it thoroughly before you make decisions.

For example, in the 1970s, the scientists were convincing us that we were faced with a catastrophic ice age. No question. Here we are, 50 years later, and the scientists are telling us, 'Sorry, we made a mistake. Decimal point in the wrong place. But we are going to have catastrophic warming instead.'

Now there is something wrong with this picture that even a normal individual with that insight, even citizen scientists, would have to wonder what is going on. I am afraid that the uninformed rhetoric surrounding climate change impact will result in the choosing of an expert panel that has negligible qualification to establish the realities or the attendant considerations for our economy. So I say no to the Paris Agreement and I say no to an unelected panel to make the decisions that we as an Assembly need to make on behalf of those who elected us.

The other issue, the other item I need to comment on, and I am not going to do it in any detail, is Item 14. I have to say, I think the best speech I have heard on that was from Deputy Brouard. We have to have a context within which to make the decisions now. We are not in a position to mess about. Our finances are stretched, our resources are stretched. Is cannabis an issue for today, given all of the challenges that we face. I have to say it is not.

Now Deputy Parkinson mentioned about, 'Well, there is vociferous minority for whom it is important' and I do not doubt that. But even if we did undertake this research and the answer came back, 'No, we are not going to do anything about it. We are not going to change it.' That vociferous minority will not go away. It will still be there after we have done all that work, we have diverted resources from somewhere else to do the work. So I have to say in my book this is not the time to actually be looking at cannabis. I am sorry, but I will go for 14A.

Thank you, sir.

**The Bailiff:** Deputy Matthews.

**Deputy Matthews:** Thank you, sir.

The Government Work Plan is quite an achievement, setting out the prioritised list of actions for the States as we see them now that will affect what services we provide in years to come. Of course, top of that list is housing. Guernsey has had a housing problem for as long as I can remember and nobody can be in any doubt that the current combination of eye-watering prices and low, almost zero availability, the problem is now a crisis and I would go as far as to say an emergency. It must be seen in the context of the worst cost of living rises in recent memory too.

Sir, it is often said and so often it has become a cliché that young people are the future of our Island. Now many of our young people do not see a future for themselves in Guernsey. It has



become just too expensive. The demographic timebomb is exploding. If we expect to be able to pay for services on the future we must take action immediately.

585 The Housing Action Plan, put forward by Deputies Inder and Ferbrache, is a start. It does ask some of the right questions. It must produce results, though, and quickly. A small part of the answer may be in the changes to GP11, put forward by Deputies Helyar, Ferbrache and Oliver. Anything that will get more houses built is to be welcomed and, although it will not solve the housing crisis on its own, I think it is a real achievement to get through the option that allows people in social housing and GHA housing to purchase their properties at 75% of the value. I think that will offer  
590 real aspiration for some who might otherwise feel trapped and unable to move into the free market.

I do appreciate Deputy Helyar's idea that the ranking score that each of us give to the item should be published and made available, although I see difficulty with assigning the numerical item against such disparate items as Moneyval and the Dairy and the Climate Change Panel and Habitat Survey.

595 I also remember that an early version of the Government Work Plan had four principles to guide ranking: number one should address the known fiscal environment and social pressures; number two should enable support to the economy to recover, innovate and keep pace with global change; number three should enable Government to focus on its core functions; number four should not significantly add to revenue costs unless there is a reasonable return.

600 Sir, I would think that that would be a good basis on which to rank the only two options that we have some choices for and they are 14A and 14B. Now 14B is a follow-on piece of work to an existing Government Work Plan item by the combined working group between the Committee for Home Affairs and the Committee for Health & Social Care. Deputy Taylor and I co-chaired the working group, which has an excessively long title, to consider the options for alternative and non-punitive approaches for possession and use of small quantities of illegal drugs – shortened to NPA  
605 or non-punitive approaches – which sought to address Resolutions behind a *sursis motivé* from 2020, against the Justice Review.

I think Deputy Brouard has actually covered the explanation that I was going to give about why this is in scope so I can skip that section and just reassure Deputy Prow it has not come out of the blue. The Resolution has been on the books since 2020 and I think it is about time we got on with it. It is a nonsense to say it has just come out of nowhere.

**Deputy Taylor:** Point of correction.

615 **The Bailiff:** Point of correction, Deputy Taylor.

**Deputy Taylor:** The Resolution as is written in 14B has not been on the books for ages. The Resolution referred to regulatory framework or partial regulatory framework for all drugs, not limited to cannabis.

620 **The Bailiff:** Deputy Matthews to continue.

**Deputy Matthews:** Thank you, sir.

625 It is correct to say that the specific words in the Resolution does not mention cannabis in 3(iii) but if you look at the explanatory text for the *sursis motivé* it is very, very clear that it is about cannabis. It could not possibly be about a regulatory framework for all drugs.

**The Bailiff:** Point of correction, Deputy Prow.

630 **Deputy Prow:** Point of correction, sir.

In the Resolution that Deputy Matthews is referring to, it says it refers to all drugs including cannabis.

Thank you, sir.

**The Bailiff:** Deputy Matthews to continue.

**Deputy Matthews:** Sir, it does, at the top of the Resolution, if you read the explanatory note for the *sursis motivé*, it very clearly refers to ... it was Amendment 4 put forward by Deputies Leadbeater and Parkinson, which was for a cannabis-style regulatory approach.

**The Bailiff:** Deputy Matthews, rather than Members having a debate as to what things mean, what matters is the Resolution, not an explanatory note. Not the policy letter. They can assist in interpreting things but it is the Resolution that matters and in terms of timings of Resolutions, it does not really matter. They are both extant Resolutions.

**Deputy Matthews:** Quite so, sir. I was just offering the obvious interpretation, I thought, for the Resolution. Sorry, I shall continue.

I would like to talk about the difference between two concepts, decriminalisation and legalisation. They are entirely different concepts, although the words are often used interchangeably, which can make matters confusing. On the one hand, decriminalisation refers to an approach where a substance remains illegal but Law Enforcement chooses not to enforce the law under most circumstances. Famously, this is the approach that Amsterdam has taken as far back as 1976, where cannabis has remained illegal but the authorities do not enforce the law, prosecute individuals for possession and consumption of cannabis. Portugal is a more recent example, having decriminalised drug possession for personal consumption in 2001.

On the other hand, legalisation refers to an entirely different concept. It means taking the regulatory approach rather than using the criminal justice system. In this case the drug in question ceases to be treated as an illegal substance and is regulated, licensed and controlled in much the same way that we currently do with alcohol and tobacco.

The distinction between the two entirely different approaches is important to keep in mind because each approach has entirely different implications. They are not the same thing at all. But many people often do conflate the two approaches. Indeed, the explanatory note for Amendment 10, which was not laid, referred to decriminalisation and legalisation as if they were the same thing no less than 13 times.

**Deputy Taylor:** Point of correction.

**The Bailiff:** Point of correction, Deputy Taylor.

**Deputy Taylor:** The explanatory note supplied by the Committee for Home Affairs in Amendment 10, which was not laid, sets out the definitions for legalisation and decriminalisation. It does not then repeat that definition each time. It is a fairly standard process. It is not misleading.

**The Bailiff:** On the basis that Amendment 10 was not laid, it does not assist particularly to refer to it. It is almost the same as if there were a policy letter attached to a Proposition from a Committee that the Committee then sought to withdraw on a motion to withdraw. There is nothing of substance until it comes into debate.

Deputy Matthews to continue, please.

**Deputy Matthews:** Yes, sir.

I was using that as an example that is quite frequent that people mention decriminalisation or legalisation in the same breath as if they were the same concept. They are very different.

At the time Professor Sumnall produced his report, which was the basis for the NPA project, he collated approaches to the possession of illegal drugs in the UK and the EU. There were no European jurisdictions which had moved to a legally regulated approach to cannabis. There are now. Malta

685 moved to a legal approach in 2021, while Luxembourg is in the process of doing so and Germany has announced its intention to do so.

So although a fully regulated approach was out of scope for the NPA project, decriminalisation was not and we ... I will give way to Deputy Prow.

690 **Deputy Prow:** I thank Deputy Matthews for giving way.

I have sympathy for the confusion around the difference between decriminalisation and legalisation. The issue that I would like to point out, when we discussed 14B, is what the actual Proposition says:

... to enable the review of the legal status of cannabis ...

695 So it does not in itself make us understand that that is a decriminalisation. But it must mean the legal status, around the legal status, so it must be a scoping of a review of the legal status of cannabis, so that points to a legalisation route and that was one of the points I was trying to get over in my speech. But I do agree with Deputy Matthews that there is a great deal of confusion about what we mean by decriminalisation and what we mean by legalisation.

700 Thank you, sir.

**Deputy Matthews:** Thank you, Deputy Prow.

I think that the confusion is genuine. I think a lot of people do not understand the difference and that is something that we ought to be making clear. We certainly would not be looking at  
705 decriminalisation as part of this item. It may not be clear in the description of it. But we did discuss decriminalisation as part of the NPA. I do appreciate that has not yet reported back to either the Committee for Health & Social Care or to the Committee for Home Affairs but we decided not to go with it for a number of reasons, in our first meeting.

710 First and most importantly, we simply did not have the resources to work through the requirements, which would be quite extensive changes for decriminalisation. Secondly, decriminalisation does not change the supply chain of illegal drugs. It remains the illicit supply. This means it would support, further back in the supply chain, organised crime, terrorism, people smuggling and many other undesirable elements.

715 And finally there is no mechanism to regulate or control the supply. The product would remain illegal. It is simply that Law Enforcement would opt to ignore it. This means there is no way to influence the quality, who it is sold to, what it is mixed with or any age restrictions. Decriminalisation as an approach is, in many ways, the worst of all words. It often leads to increased use with no regulatory oversight on the product being supplied, no age limits and brings users, including children, into contact with organised crime and can increase levels of crime in general. The people  
720 of Guernsey would not want such an outcome. One of Guernsey's great assets is that it is seen as a safe place, a stable place to live and bring up a family. An Amsterdam of the British Isles is not wanted.

725 Sir, I think at this point I would like to put on record a word of thanks to Bailiwick Law Enforcement – that is the people who make up the Guernsey Police and the Guernsey Border Agency – for the difficult and sometimes dangerous work that they put in each and every day to keep us safe. I would like to individually thank Deputy Prow for his service and Guernsey Customs and Guernsey Border Agency. I think we all appreciate the dedication and hard work of all of those involved.

730 There are some nasty and dangerous people out there and we are fortunate in Guernsey to be protected in the most part from some of the worst effects that have blighted societies that we see around the world, resulting from the illegal drugs trade. The crime, violence, wasted lives and new challenges, county lines that the UK are seeing, fortunately is not prevalent here in Guernsey. I grew up in Guernsey, I am a father of a six-year-old that will grow in Guernsey. I am grateful that Guernsey is the safe and secure place that it is. I am convinced that the great majority of Islanders feel the

735 same way. This thinking is entirely in line with a sentence expressed in a letter to all Deputies on 23rd June from the Channel Islands Cannabis Industry Association:

We agree that decriminalisation would not be a positive step as this simply enables black market dealers to increase their customer base and, far from removing the problem of associated criminality, could increase it. Legalisation, on the other hand, negates the need for an illegal market, ensures that cannabis being supplied is safe, controlled, regulated and monitored and actually contributes to the economy of the Island.

Now this reinforces the contrast. The absolutely day and night difference between decriminalisation and legalisation. Legalisation is absolutely not decriminalisation. They are totally  
740 different. A legal, regulated approach is the absolute opposite of decriminalisation. It involves moving away from criminal law altogether, such that cannabis can be supplied in a controlled way, in exactly the same way that we do with alcohol and tobacco.

In fact, it is the effectiveness of our Law Enforcement that means that Guernsey, if we were to move to the legalised environment, could completely displace the illicit market. Something that has  
745 not happened in some jurisdictions, which have legalised, in Canada and California, where they compete. In Guernsey we may well see it would be entirely removed. It is an opportunity that we really ought to be looking at.

In fact, we already have a partly regulated environment for cannabis, for medicinal purposes. We have a cannabis regulator, a Bailiwick of Guernsey Cannabis Agency, established by the Committee  
750 for Health & Social Care, and supported by the Committee for Economic Development. It is up and running, as of last year, and we have an industry group, the Channel Islands Cannabis Industry Association, which is up and running locally. And we have cultivators producing cannabis locally and retailers and pharmacists who supply cannabis legally for those with a prescription.

I will give way to Deputy Taylor.

755 **Deputy Taylor:** Sir, I am very grateful to Deputy Matthews for giving way. I just want to pose a question, whilst he is on this part of the topic, if there was a legislative framework or regulatory framework in place, if he could give an indication where he thinks that cannabis might actually come from?

760 **Deputy Matthews:** Well, I could give my indication, or my guess, and it is just a personal view. Obviously, part of what we would want in 14B is to look at this in greater detail but what we would like to see is that the supply could be legal and of course that would include local suppliers. As many things, if I go out to the shop and buy a pint of milk or a litre of milk, it is a local one. That is  
765 regulated, of course. If I go and buy a pint of beer it may well be locally brewed. I would expect that some of the supply would be local and that would be a good for the economy to have a circular economy where everything is internal. Of course, it would not prevent the current supply, which mostly comes from the UK and other locations where it is produced.

At Health & Social Care, since the introduction of medicinal cannabis, we have got to know our  
770 local cultivators, our retailers and pharmacists and even groups representing users of medical cannabis, medicinal cannabis. The organisations involved in the supply chain are ordinary companies. They have directors and marketing people and sales and compliance and all the features you would expect from any other business. They are law-abiding. They employ people locally. They contribute taxes and follow regulations. This is not organised crime. This is business.

775 Sir, 14B is hardly earth shattering. It is simply based on the idea that we would like a scoping exercise to look at extending and building on that existing framework to cover recreational uses other than medical use. Only Health & Social Care can advance this approach as Health & Social Care holds the mandate for the scheduling of substances. Not Home Affairs and not the Justice Review.

780 So I just wanted to briefly touch on reputational impact. Twenty years ago, any mention of cannabis in the offices of global finance corporations would likely be in connection with a

disciplinary offence. Cannabis was most associated with organised crime and money laundering. Not a good mix for an international finance centre.

That is simply not the case today. Cannabis is big business. Since the move towards full legalisation in north America and medical use in much of Europe, cannabis companies have become legitimate. While many trade on over-the-counter markets, others are quoted companies, listed on the New York Stock Exchange and Nasdaq. Clients ask about investing in the cannabis sector. Investors analyse their risk return carefully, just as with any other sector or any other asset class. Fund managers are enthusiastically participating in the market.

In August 2019, *The Economist* magazine ran an article entitled *A Global Revolution in Attitudes towards Cannabis is underway*. The legalisation of the drug for medicinal use is paving the way for broader liberalisation. In December 2021, *Forbes* magazine. The magazine often read in business class lounges around the world, asked the question: which European country will legalise cannabis in 2022 and commented that the European continent represents a tempting market for international companies and stakeholders interested in recreational cannabis.

Reading from one fairly typical research note yesterday – a couple of days ago, now, since I wrote this – it says the global legal cannabis market size is expected to reach up to US\$ 91.5 million by 2028, registering a compounded annual growth rate of 26.3% over forecast period.. That was just a research note by Grand View Research. But it explains the size of the legitimate market. This is not a niche thing. This is not some hippies doing something. This is a global sector of the market.

Corporate board rooms do not fear cannabis legalisation at all. It is broadly welcomed. What is damaging to our reputation is setting ourselves up as a location for cannabis cultivation whilst operating harsh sentencing for those outside the current legal framework. It strikes many as hypocritical.

In Guernsey, one industry prediction suggests up to £2 million could be raised in States' revenue alone from legalising cannabis. It will not fill the tax gap but it could go some of the way. That is just a direct tax revenue. The broader economic benefits could be much higher and that of course would include other tax receipts from Income Tax and corporation tax, as cultivators pay 20%.

Will anybody voting against 14B then go on to call for GST, having passed up that potential revenue stream? The fact is it is inevitable that cannabis will become legal at some point. A revision of our legal status is a sensible use of resources to benefit the Island. Delaying now will only result in Guernsey missing out on opportunities to take a lead on the issue. Other jurisdictions, such as Jersey and the Isle of Man, will likely benefit at our expense.

In fact, we have been informed that the States of Jersey is currently collecting some tax revenue from medical prescriptions from Guernsey users. Although anyone that has seen the cost of their new hospital, perhaps they need the cash more than we do! But I would rather have it coming in.

Guernsey needs to adapt to a changing world and take the lead if we are to prosper. Cannabis has the potential benefits to strengthen and diversify our economy and provide a revenue stream for the Island, which we should absolutely be considering. The question is whether Guernsey demonstrates agility as a leader and reaps benefits or waits until others make the first moves.

Sir, in summary, there has been an awful lot of speculation about what this item actually does. Headlines said that if you vote for this Guernsey will be the next Amsterdam of the British Isles; that you could vote for this today and that next week there would be cafes popping up all along the high street. Sir, the answer is this item calls for consultation, including with Home Affairs about the way forward. That would include consultation with economic development. And with all the other agencies, such as Guernsey Finance and Locate Guernsey might well be one of the agencies who would want to consult to seek their views on this because this is actually something that could affect the image of Guernsey in terms of people wishing to locate into Guernsey. Or not.

You may well find that ... Guernsey has had, for a number of decades, a very positive image amongst very conservative people. If we are to try and attract people from our new markets, from sectors like technology and media and advertising then our backwards position on drugs is not a positive feature.

So how do we prioritise these two items without the information that we would have from a policy letter? Well, work from what we do know against those principles that I mentioned earlier. It should address a known fiscal, environmental and social pressure. Well, yes, 14B does that, and it provides a revenue stream. Should enable or support the economy to recover, innovate and keep pace with global change. Well, yes, it does do that. Should enable the Government to focus on its core functions. I do not think it scores particularly well on that but should not significantly add to revenue costs unless there is a reasonable return. Well obviously with a revenue stream there is a return.

So I would say that scores well on all four of the principles for the Government Work Plan and, from me, that would mean that it should be prioritised and I would urge Members to prioritise Item 14B over 14A.

Thank you, sir.

**The Bailiff:** Deputy Dyke.

**Deputy Dyke:** Thank you, sir.

First, I thank Deputy Soulsby for getting all this together and I am glad we have got documentation that we can work with that is structurally sound. I think we are in a much better position than we were at the beginning of this States, in terms of working together to try and get the GWP. I was amused by Deputy Inder's comments about the post-it notes. I had a similar experience with them and found myself getting rather cross and just writing on one, 'no new taxes', and on the other one, 'cut costs', sticking them on the wall and leaving. I think we are in a much better place now in terms of thought processes. That seems a long time ago.

Deputy Murray made some strong points about context and, yes, we must look at all this in the context. The context at the moment is rather mixed. We have got more jobs available than we have got people to do them, which in a way is good for the workers. That means they are not going to be unemployed and they have got an upward pressure on their salaries, which is a good thing. We have got a shortage of space. We have got a massive shortage of housing, which is a bad thing.

So in that context one thing the States might do, it is not a specific item here but maybe it will be next year when we have gone through the new process, is the States really does need to think about regulation and employing more regulators and a general approach that slims the size of the States because the more people we have got working for the States, the more demand there is on housing and the fewer people there are to do the jobs that are desperately needed in the private sector. So a self-control by the States seems to me to be one context in which we need to work and that is key moving forward.

Perhaps I could make a couple of comments? Proposition 5, nobody has touched on that. I will just mention sub-paragraph (ii):

Establish whether or not to explore the introduction of a compulsory insurance scheme for primary care;

I am not quite sure what that is proposing, whether it is a supplemental Social Security tax or some sort of private scheme. If it is a private insurance scheme then this might not take us very far. Usually, with a private medical insurance scheme, you will have an excess layer, which will not cover basic primary care appointments. Otherwise if you try, in an insurance policy, to take the level down to ground zero, it is token economic and the premiums are uneconomic.

So I am not quite sure whether we are talking about a supplementary social insurance tax to cover it or some sort of private scheme. If we are looking at private schemes, then perhaps this research might cover secondary medical expenses as well, up to and including operations. So that is just a question. I will vote in favour of this and I am sure Policy & Resources will know how to handle it.

Numbers seven and eight have not had a lot of attention. Energy resilience. I utterly and totally agree with Deputy de Lisle, we do need to look at that. It is absolutely vital and it gives us economic

opportunities either to supply ourselves or, if we can do deals, maybe with Jersey, with the big companies, to set up wind farms or the tidal units, then that will help us enormously and it could be a massive economic enabler going forward.

Like Deputy de Lisle, I am very reluctant to just add another cable to France. It is £100 million and it does not actually buy any electricity. You have got to buy it on top of that. So I think Deputy de Lisle is absolutely right on that point and I think going onto number eight, which follows from it, I tend to agree with Deputy Murray's strong comments on this. I do not know who these experts are going to be. Are they going to be experts or are they going to be activists? We need to probably think very hard about who we are putting on this panel. It could do some good work or it could do some bad work.

I have heard from some activists that climate change causes earthquakes. You can go too far on this. Like Deputy Murray, I have read around this subject and I would strongly advise people to read other views on how you handle climate change without impoverishing the population. Can I recommend two books, both by self-styled left wingers: Bjørn Lomborg, *False Alarm* and Michael Shellenberger, who is an American, *Apocalypse Never*. It gives a different view. If all you do is watch the BBC you will not have a very good view on this. In fact, Shellenberger, as I say, is quite left wing and is standing for governor of California, so that tells you something. Not as a Republican. Anyway, we all need to get a more balanced view going forward on this without discussing the subject now.

What else was I going to talk about? A lot has been said about Propositions 14A and 14B. I tend to come from a view that as a base position people should run their lives, take responsibility for what they do and their good and bad decisions. But when you have got youngsters involved, they need guidance and I am very nervous about legalising cannabis. Deputy Parkinson and others have mentioned that it can be regulated, we can have regulations and it cannot be sold to people below 18. Indeed we can. But cast your minds back. When we were in our teens, weren't we all boozing illegally in the pub underage? Maybe it is just Poole Grammar School!

But if the stuff is around it is going to get down to younger and younger people. Deputy Aldwell has spoken very well on the risks of cannabis, the damage to the psychology and all that sort of thing and I do not think we want to expose our children to that. So in terms of 14A and 14B, I think I will follow the President of Health's advice on that and I will vote for A and, having done that, not B.

He is absolutely right, I very much agree with his point about the Disney brochure. If we are going to go down this route, we have to be serious and actually believe it is the right thing to do, and not just sort of cover the position now and vote in favour and then maybe vote against later. If at the end of the day you do believe that the actions that Home are already looking at, in terms of decriminalisation, alternative ways of punishment, penalties and all that sort of thing, and all that is on the agenda, then going for full legalisation, I think, is definitely a bridge too far. So, as I say, I am going to vote for 14A and not 14B.

Thank you.

**The Bailiff:** Deputy Blin.

**Deputy Blin:** Thank you, sir.

I would like to start off, well initially I would like to refer, what triggered me to talk was Deputy Bury's speech of yesterday and she started off with this sort of self-battle, trying to say she wants to talk on 14A, 14B, it is about the scope. That is the question. It is not about all the other detailed debates.

Then that was followed, Deputy Kazantseva-Miller did a very detailed one, a specific one, and earlier today, Deputy Roffey as well. And that kind of puts the whole picture out there. And then, just by listening to our fellow Deputies in the Assembly, you start to feel what the reactions of people are, what they fear from it and everything else.

So I would like to start off by going back to say thank you, first of all, to Deputy Soulsby, for putting together the GWP plan, for all the hard work in it and then when it comes to the 14A and

935 14B, it is a shame that we have to make this decision on that point. But we all know that this has been going on for a long time. So the commitment, the question for this 14B is we want to have this one, to have the scope done. Not to, all of us, have our different debates, put our historic views on what happens to people with drugs or the effects of alcohol or anything else. It will be specifically about that scope.

940 So why should we do the work? We are all sitting here and it has been clear for over a year or more that this has been a subject, whether or not for 7,000 people, whether it is a small percentage, a large percentage, it is the public. There is a strong element about what the people have wanted and until this is dealt with, so I will start off by saying, here is a plump for 14B, until it is dealt with, however it comes out, we cannot keep hiding the elephant in the room. It will have to be looked at.

945 Also, we are racking up costs. There is always the situation where, wherever we look like now, and I could use the ... I could pick a punt and say that right now the amount of cost to our Government for people sitting in prison cells, which may be under a cumulative review or decriminalisation they could have been maybe not given a sentence in prison and maybe had it another way, but those are all speculative because again the scope will decide that. Home Affairs will work with the legal officers, the Law Officers and everyone else.

950 And the other reality is, while I am on this aspect of it, if people say, 'Is this important?' I believe Deputy Murray, 'Is this a subject to be important enough to debate right now?' Well if there are financial implications and, like Deputy Matthews said, which could actually have an effect on GST, there is the revenue to come from legalisation of cannabis and the business around it. There is a huge revenue, which would be due to us, which would help us in other aspects.

955 Now, I hear more own words and I look at my colleague Deputy Vermeulen, I hear my own words. Legalisation. In my manifesto, I never wrote legalisation, I wrote decriminalisation. I wrote decriminalisation because I thought that is the easier way, with a non-punitive approach, someone is let off, a bit less pressure, etc. But we know that leads to an awful lot more crime and problems because when you have decriminalised, the whole market is controlled by whom? The black market. It is outside of our hands. There is nothing we can do about it.

960 Now the other aspect is this and I can hear, I mean again, I know that we should not be interrupted by fellow Deputies but when you do sense of a laugh at your mistake, I would just ask those Deputies who may be acting like that just to think about this in detail. Because I had to. I had to move from decriminalisation to realise that that is actually really bad for our Island and for our economy. It took me a while to get that, by going through.

965 But, here is the good news. I do not know, is it a dragon, is it a puppy? This whole subject, it is so emotive to people, I would like to say, couldn't we look at it from a different perspective as well? It could be less scary than we think. We already have, since 2018, a regulated recreational cannabis market. I am going to, I hope this is okay with the Bailiff –

**Deputy Taylor:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Taylor.

975 **Deputy Taylor:** I am very sorry, but I do not believe we have had a recreational market since 2018.

**The Bailiff:** Deputy Blin to continue, sir.

980 **Deputy Blin:** Thank you, sir, the Bailiff.

985 On the way into the Chamber I popped into the shop and got this for sleeping and anxiety. This is a product, which is not allowed to be sold in the UK but it is allowed to be sold in Guernsey. The healing effects of this and everything are very good. Now this is a market, which is regulated here, where this is sold on the market and it is a full spectrum access, anxiety and sleep, but it is a higher THC strength than what is allowed in the UK. That is what we have got already.



So therefore, the immediate clause I have is an incremental one. If this is higher than in the UK and it is allowed and regulated here, it goes up. Now we will all remember, only, I cannot remember the date, but let's say a few weeks ago, longer than that actually, a few months ago, there was the incident, I will call it the gummy bear incident where the gummy bears which were being sold, actually they realised that the THC was even higher.

Now this is where Guernsey came into play really well. I am a firm believer of regulation and Guernsey. Guernsey regulates well. The GFSC, the finance world, the mature market. What happened? Home Affairs, HSC, media, everyone, put out a recall and literally, very effectively, put the recall out there and got the items back. They also put an amnesty out. That was the really good part. They put an amnesty out. So in other words it was done in such a fashion to recall.

Now I am pretty sure they all did not come back. So here is my next question. What happens for those that did not come back? Have we seen anything on the market which has alarmed us, anything which has affected where we have seen a change of crime or some really bad behaviours which could inflict, I do not know, medical reactions? Was A&E inundated and had a number of people? We all know the answer is no. It just kind of fades away and it has gone back to where it is.

So, on that basis, as we do have a regulatory framework in place for recreational cannabis products and Guernsey already has that different THC content in CBD products in the UK, it would not be hard to keep on increasing it, until it dries up the black market, for example, or for medical cannabis, which now recreational users, and we know there is a black market happening there for the medical cannabis.

Users generally want to opt for quite low strength products and I know this from talking to lots of people and talking to the retailers in this area. It is like a glass of wine alternative. Now Deputy Roffey himself said that after today he is going to be having his glasses of wine and possibly a stronger one. Well that is a category, if someone wants to just have that element of relaxation or something from this, and those products are here, legally sold in the shops, which are not legal in the UK.

So, the other thing I was talking about the regulation side. We are very good at that. What happened when we did not like the people drinking alcohol by the bus terminus. We just set something up, changed it instantly, moved it away. Or by the church, or by La Vallette. All these things, we are very good at this quick regulation.

So basically the thought process I have is rather than ... again, even I myself had to accept that I did not know the difference, and I am sure there are others, well maybe others, who did not know the difference between decriminalisation and legalisation but when you look at it, the decriminalisation now, actually, I regret I wrote it in my manifesto, it is quite a scary thing. It would allow the black market to continue. The risk sits in the strength of the drugs.

When I hear stories, and I have heard stories of university students who have lost their lives through psychosis, the effects of the drugs; there were other issues, possibly. But we could not control whether it be skunk, whether it be one of these extremely high content drugs. That would disappear with a legalised, regulated market. Because we would state what it is. We would start it at the right place.

So in effect, and I will try to conclude this, what I have been trying to convey this time is the fact that actually this is not a scaremongering tactic that we need to go through. This is not meant to be, 'Oh my gosh, we are going to end up with Amsterdam or druggies on the street ...' etc. Even in my case it has taken a while to get to that point. We legalise it, we structure it in such a way. Imagine already how many tens of thousands of pounds, or hundreds of thousands of pounds, are going into the medicinal cannabis market.

Now, by taking these recreative cannabinoids as well, I have asked in the shops here and they have already informed me the number of prescriptions has dropped, the number of dependencies in opioids has dropped, the number of dependencies on alcohol has dropped. All of this is coming from this market.

Now, we cannot deny the fact that, even with the Sumnall Report, 2019, things have changed so much. In fact we need to almost get another report to see where we are. I believe it has been

mentioned by a couple of other Deputies, but there is no way we can avoid this coming to fruition soon. It is going to happen.

It is rather the case of how are we going to embrace and welcome it and then almost, like I have had to do personally, how are we going to educate ourselves to get to that point of seeing the difference between these products and what this previous market, I remember right from university days, this famous market of you mention drugs, you have a criminal activity, organised crime, I read somewhere on Facebook just a day ago or something, 'Oh, gosh, if this happens, we are going to have all the crime lords, the drug lords arriving in Guernsey and promoting their wares.'

But it is literally nothing like that. We remove the issue from decriminalisation. We start to have properly regulated products with the good will, the knowledge and the skill of the Law Officers, the Home Affairs, and we will end up in a very good place and we will be catching up with everybody else who is in a very good place.

And just recently the threats about Colorado were made, when they were less prescriptive and more open with the drugs. Their crime rates have gone. We do not even have high crime rates. I believe Deputy Matthews spoke about thanking the Police for the work they do. I fully endorse that and I know, I have seen officers on the beat, where I have seen them dealing with individuals and, instead of taking them to the station or filming them, all the things there, they try to take a community approach.

Now that is going to be a lot easier when actually they know that there is a market and it is legalised and everything, they will know when to prosecute, when to arrest, when to do, because it will be a very different picture. So in summing up, all that I would like to say .... Well, okay, I will give way to Deputy Vermeulen.

**Deputy Vermeulen:** I am grateful to you for giving way there but can you tell me, Deputy Blin, how does legislation stop the illegal market where decriminalisation will not?

**Deputy Blin:** Well, decriminalisation will not because all you are really saying is that you are not going to prosecute something or something there. But where is that strong drug coming from? It is coming from anywhere. So it has to come in through a black market. There is no little amazon.com buy your ... It is going to have come in through a black market.

Legalisation is a different route. Legalisation has been, we have agreed what the content is, we have agreed the source, we have agreed the place there. So that is the difference. Decriminalisation will lead to black market. That is going to lead to these, skunk, to anything coming onto the Island.

*(Interjection by Deputy Vermeulen)* Legalisation.

**The Bailiff:** Deputy Vermeulen, Deputy Blin, you cannot have a conversation. A Member is on his feet. Deputy Vermeulen, you can speak later.

**Deputy Blin:** Yes, sorry sir, I have just realised that.

On behalf of the question that did take place, legalisation is actually ... to give an example would be that if we have legalised the THC content and products that can be sold, whether it is going to be through a vape or a tablet or smoking, whatever. Now the smoking, immediately, I would totally agree, if there was an area where it starts filling up with smoke around a place, the very first thing that would happen would be one of these announcements, put out a letter or something, straight away we move it on. We get it out of the way. But the legalisation controls the content. It also means we have the ability to profit from it, to make the income from it, on the sales and the taxes, and there would be a tax, there would be a 20%, etc., tax on it, which would make a difference.

To summarise, which I was about to do just before, is just to say this all brings it back: why is it really important to be in this situation deciding between 14A and 14B? They are both important. But 14B cannot be ignored and if you want to get to the point where the scope will be done to find out if any of these things there which will be done by professional people in a professional capacity,

1090 we are not here to do that. We are just here to say would we like it to get to that point and I, for one, certainly would like it to get to the 14B so this takes place.

This would not be and I would not stand here if it was to be a waste of money, taking up resources for no reason, because there is a direct benefit that can come from this if we look at the situation with great care.

1095 Thank you, sir.

**The Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, sir.

1100 If it was not for Proposition ... Oh gosh, sorry, I should have not bent my computer backwards, it obviously does not like that, do excuse me for one moment!

If it were not for Proposition 14, it seems the main debate on this important policy letter would have been despatched in a quarter of the time. But, like many others, I do not have a great deal to say on the Plan itself, much of which the GWP Scrutiny Panel explored with Policy & Resources Committee in our recent hearing and I thank Deputies Ferbrache, Soulsby, Helyar and Le Tocq for their co-operation in that area.

1105 Like others, I also want to call P&R to publish the scoring system, which they intend to use, in the evaluation process next year, well ahead of asking Members to complete any scoring exercise. And now it looks as though we have decided to go down that road, save for any change of heart in voting on the substantive Propositions. I would exhort all Members, particularly those who voted for that approach, to take every opportunity to attend all presentations put on for our benefit.

Some Members will be aware that I am interested in the ongoing disparity evident in the percentage of male Deputies who attend presentations when compared with the percentage of female Deputies, with typical figures being about 38% of the men and 75% of the women. No one has been able to explain to me why this is so. Are women more diligent? Do they have less childcare and housework responsibilities than men? Do men think they already know enough? I have no idea. (Laughter) But I will throw down the gauntlet and invite the men to catch up!

1115 Staying briefly on the matter of Amendment 11, or Proposition 18 as it is now known, I must respond to Deputy Helyar's incredulity that the President and Vice-President of Scrutiny and indeed the President of SACC, all spoke strongly against what he is endeavouring to sell as something that will increase voters' awareness of Deputies' views. I would respectfully remind Deputy Helyar that he has copyrighted his views expressed on social media, to prevent them being reported by the traditional media for fear of a writ and that he also voted against my amendment to the Development Agency to make it subject to freedom of information requests.

1125 So, as Deputy Inder is fond of saying, I will take no lessons on openness and transparency from Deputy Helyar. To quote an ex-Deputy, it is not about what it is about and Proposition 18 is most certainly not about openness and transparency, or indeed governance, and the fact that Deputies Fairclough, Meerveld and myself spoke and voted against it should say something.

1130 Unlike Deputy Roffey, I will be voting against Proposition 1. Not because I do not agree with category one status for housing actions, I certainly do, but because I cannot vote for the subsequent changes to this Proposition. On the issue of climate change, I fully support Proposition 8. I am also a Master of Science, like Deputy Murray, in my case in a relevant subject and I profoundly disagree with him.

1135 Yes, we are a small community but the whole world is made up of small communities and if everyone takes the same view then the world will become uninhabitable in many areas in my son's lifetime and we owe our children and grandchildren much better than that.

1140 So onto the cannabis question. I am probably one of the few people in this Assembly truly undecided on this issue. My instinct is to be . Continuing in the peculiar theme of agreeing with Deputy Meerveld – maybe I have been sitting next to him for too long! – I too have never smoked tobacco or tried drugs and for the same reasons and assessments that Deputy Meerveld gave in his case.

I have read articles and reports and peer review studies and, of course, numerous emails to try and come to a conclusion on where I stand on this matter. Some argued that this is just about scoping, it does not open any doors. But I suspect David Cameron, when rashly promising a referendum on Brexit also thought, 'What is the harm?'

Some claim that they are cautious on the matter but there is a public push on this issue and so we have to see that resolved and this scoping exercise might just do that. I took much the same view when I voted in the 2012 term to have a referendum on Island-wide voting. I was probably wrong. And, interestingly, coming back to where I began, there are parallels between Island-wide voting and Amendment 11 to redesign the GWP. Lots more boxes to tick but much less knowledge about what one is voting for.

But back to Proposition 14. I question the arguments put forward by the drugs adherents that we should relax laws because it is less damaging than alcohol. It may well be but I suspect if alcohol were invented today we might not manage it in the way that we do. I thought Deputy Parkinson made some useful comments on relative harms. I am inclined to believe that ultra-processing junk food does far more harm to health than most things but of course Guernsey has limited control over that.

We have also had many emails from supporters of 14B saying that this is what the people of Guernsey want. Well, with all due respect, we simply do not know that and I would be interested to see the results of a survey sent to all households to establish that information. I just do not know where I sit on the spectrum between Deputy Prow and Deputy Leadbeater on this issue.

Another difficulty for me, like others, is the pitching of 14B against 14A. I really want to see the work in 14A progress so I will probably vote for 14A in any case but, if it fails, I may vote for 14B. I still do not know which way I am going to vote but what I would say is if I do vote in favour of 14B it in no way indicates which way I will vote on this matter in the future.

Thank you.

**The Bailiff:** Deputy Mahoney.

**Deputy Mahoney:** Thank you, sir.

There has been a lot said over the last day or so on this one and I was going to let some of the things slide because the large part of what we have heard is opinion and we have all got different ones of those. But a couple of points from Deputy Matthews do bear some comment, I am afraid. The first is that corporate board rooms will not mind this at all. Sir, I accept that these are opinions, but even opinions have got to carry some credibility in this room and that statement just carries none.

Deputy Matthews also notes that £2 million Income Tax, I think that was the number he said, would be washing around. Now that is assuming, presumably, £10 million in profit to get £2 million of Income Tax, which assumes by association a turnover very much in excess of that £10 million and to see numbers all made up, no proof, no nothing.

**Deputy Matthews:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Matthews.

**Deputy Matthews:** Sir, it was not £2 million of Income Tax and the number that I quoted was not my number it was a number that was provided by the industry association for Channel Islands cannabis. So it is not my number but that was the direct, expected revenue from duty and it was based on a proportional comparison with other jurisdictions which have legalised cannabis.

**The Bailiff:** Deputy Mahoney to continue, please.

**Deputy Mahoney:** Thank you for the correction. Made up numbers from a different jurisdiction. It is even better, isn't it?

1195 It is a shame that Deputy Matthews did not mention the additional health costs and regulation costs that come with it. Perhaps we should just knock those off the fictitious £2 million from a different jurisdiction, or maybe I should just make them up on the spot.

Certainly more of the views expressed – I think it was Deputy Brouard but I may have got that wrong, apologies if it was – to ask everyone to ask themselves that, given the constant complaints  
1200 that committees do not have enough resources, is this one of the most important things that we should be doing right now?

There are a couple of other bits in the policy letter. I will come back to that, in fact. I find it odd that Members are talking about how everything will be regulated and safe – bears in my mind of an age that I remember *Janet and John* books, there are plenty of people here doing the same, I  
1205 wonder if the next one is going to be *Janet and John Get High* – that all users will simply pop along to the local pot shop, buy their fix and off they go, everyone is happy, everyone wins.

But that supplier, however many there are, will be subject to regulation, licensing, standards and all of those things; tax, and all of these things will drive up the cost. If Members believe that the black market, which will not be taxed and regulated and standardised, will not dwarf the legal  
1210 market, they are living in a fantasy world.

I said I was going to come back to a couple ... Sorry, in fact Deputy Burford made a very good point and I thank her for it, that we had a lot of noise over the last few weeks, months about this but it does not actually bear resemblance to what the actual view out there is. I also would favour a survey of all households to say, 'What do you think about this?' Then we might actually get an actual  
1215 flavour of what Guernsey thinks.

I give way.

**Deputy Burford:** Thank you, Deputy Mahoney.

I will just clarify my position, I do not know whether it does represent what the public thinks.  
1220 That is all I was saying.

**Deputy Mahoney:** Yes, I fully accept that and I do not think anyone does here, so I fully accept that.

But maybe that would be the way forward so we can actually find out the flavour of middle  
1225 Guernsey, left and right Guernsey, whatever we want to describe them as. There are a couple of other bits in the policy letter, since there are another 17 Propositions in there, that I shall not be voting for. It will be no surprise that I shall not be voting for those things which came in via the back door with no scrutiny.

Thank you, sir.

1230

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you, sir.

I have just got a few things to say. Proposition 1, although the States have voted through it, I  
1235 cannot guarantee it will come back with the exact words and it might have to change somewhat but it will come back somehow, in some form.

Proposition 2, I am really pleased to see this, what is the Island's future population and immigration policy, because this could have a real bearing on the Development & Planning Authority and how the review actually takes place and what amount of houses are actually needed  
1240 so that will detect how big the main centres should be, if they should change or anything like that.

Proposition 10, it is really just a reminder that, as soon as the States have decided the future harbours, then the Development & Planning Authority can get on and plough forward with the local planning brief, which is needed for some of the work within this IDP to go ahead. I suppose I cannot really avoid talking about cannabis. My smoking, I would say, history has been that I took one puff

1245 of a cigarette, threw up and decided I would never touch that ever again. As many of you know, I have got three girls. I do not really want cannabis to be readily available but then on the other hand I also do not want them to get a criminal record either.

So where does that leave me? I think I am quite indecisive really about this and it is just the fact the way that the Propositions have been laid out and I am sure it is designed to do that but on many respects I do want the Public Health work to continue and to actually do because you never really know what is around the corner and it is just sort of preparing us, really. But then on the other hand, this Proposition 14B, it is just a scoping exercise. It is just to see what we need and to get the ducks in a row and also to see how much it will actually cost to do.

1255 So, I do not think I am going to vote against Proposition A but then I do not think I am going to vote for it, so I think I am going to abstain because I do not want to affect that work going ahead if people really want it to go ahead. I do not really have strong views on it. But I will listen to the rest of the debate and I have changed my mind a few times on this to see where I go.

Thank you.

1260 **The Bailiff:** Deputy Vermeulen.

**Deputy Vermeulen:** Thank you, sir.

1265 I think it is a great shame that the sterling work of producing this fantastic business plan and the work that has gone into it has been overshadowed somewhat by it becoming a debate on cannabis, which should never have happened like that. But that is what has happened. So full marks to Deputy Soulsby and her team, for all the officers, all the hard work, all the patience that they have had to exert to try to organise us all and coral us all into this fine piece of work.

1270 Now, sir, I have really enjoyed the last couple of days, three days, and today, I really have. You know you are alive when you are in the States. I do not always agree with what other people say but I listen to it and I listen with deep interest and there have been some interesting exchanges, which is probably what I will be replying to as we go along.

1275 I am still keen on the Dairy. I love our Guernsey milk, our Guernsey cream, our butter. I think it is a top quality product. I have concerns over the cost and I understand that the Sark Dairy, they put together their dairy with equipment, with equipment, sir, for £500,000. Granted, it is much smaller than Guernsey's but it is interesting. It is a different approach.

1280 Talking to my colleagues in Alderney, from Alderney, their approach to a dairy is certainly different to Guernsey. They are paying somebody to do that for them and they pay them £70,000 each year to produce the Alderney butter and the Alderney milk. I think that, instead of doing what we have always done, we should just look outside of that box and say that, 'These farmers in Guernsey, many of them are really highly qualified. They have got big degrees. These boys know their stuff. Could they do a better job than the Government running the Dairy?' Just a thought, just putting that one out there.

1285 I think some of the amendments which succeeded will improve the Work Plan and I know some people have got very irate over certain things and it is a bit of a shame to see that because we are all in this together and we are all trying to do the best that we can and I do and try and see it from the other perspective as well. But I am sure that we all mean the best and I am sure the improvements that we have made to housing will bear fruit in the future and I think that was a good exercise. It was a painful exercise, people leaving the Chamber not very happy at times, but yes we saw that.

1290 Onto 14A and 14B, I cannot really talk without mentioning some of the stuff that has been said. I am going to vote in favour of 14A and I will vote against 14B and I would appeal to other Deputies that might be undecided, as of yet, to follow me in that voting pattern. Now I will probably tell you why.

1295 Sir, I cannot declare an interest as a father of four, or grandfather of 11. I am concerned about my children and my grandchildren. Sir, I am a People's Deputy now, I represent the public and a lot

of people put their trust in me being a sensible person with a sensible perspective and I cannot let them down, sir. I cannot let them down.

1300 Some great stuff has come out of this debate, great stuff. But I am concerned on the health aspects of 14B and I was astounded after Home and Health had worked together the last 18 months with a working group set up, hours and hours expended, and that was the direction that we were going in the punitive approaches, so that people like daughters will not get criminal convictions for small amounts in the future, we would like at the Justice Review and include that in the sentencing policy.

1305 I was astounded to see that Health was suggesting something else in the Government Work Plan, full legislation with cannabis, that should be bunged in there, just like that. No real thought or saying, 'This is what we are going to do, we are going to put it in the Work Plan.' That was not really group prepared. So that was a real shocker and the reason it was a real shocker to me –

1310 **Deputy Matthews:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Matthews.

1315 **Deputy Matthews:** Sir, it was discussed at the non-punitive approaches working group. In fact in our first meeting it was discussed. Now I do appreciate that that has not reported back to the Committee for Home Affairs or the Committee for Health & Social Care but it is not true that it was not discussed. In our first meeting it was raised what Health & Social Care were thinking of doing.

Thank you, sir.

1320 **The Bailiff:** Deputy Vermeulen.

1325 **Deputy Vermeulen:** It was a real shock to me, sir, and it was a shock to my President. He was not expecting that and the way that we found out about it, through the media, well, what is the point in us working collectively together, as a Government, looking at important things like this when you are informed about it through the *Press*? Anyway, we will let sleeping dogs lie on that one but that has happened. That has happened.

1330 Now, lots of people went off and did professional research. We got criticised for some of the research that we did but it was done by some of the Health staff themselves. So there are concerns on the Health and particularly the vulnerable. The young and vulnerable people and this psychosis. So when we look at certain reports that have been done in different places, there are patterns emerging. We have medicinal cannabis on Guernsey, we have a growing industry growing medicinal cannabis as well. So people can get prescriptions for it.

1335 Since that has come in that has created problems as well. Now, tragically, suicide rates in the USA have shown an increase and they also monitor the medicinal cannabis in the samples of those deceased people. I would not like to see that in Guernsey, sir. I think as Health we really have to look after the wellbeing of all, not just some of the people, all the people. The whole population. It is so important. We cannot make those mistakes.

1340 In making mistakes, you make mistakes sometimes when you rush into something. I have seen it time and time again in business. First into a new market, those businesses fail. The ones that come behind it make sure they avoid the mistakes that the first people into the industry make, sir. How much legs it has got, I do not know. I see cannabis bubbles bursting around the world. It was going to be this, it was going to be that. I see them burning huge amounts of stuff, which they cannot sell, and I also see black market intervention in legalised communities, many of them, I think it was Deputy Inder that said, we do not want Guernsey to be the new Amsterdam, but California would be, it would be more like California.

1345 But I have got a report here, sir, and it talks about the effects, I have got one in Canada, which has introduced legislation, and I have to say I do giggle a little bit when people say, 'Can't Guernsey be more like Malta, more like Canada? Can't it be more like Amsterdam, California?'

What is wrong, on earth, what is wrong with Guernsey being Guernsey? You know, it is a beautiful Island. It has got a low crime rate and I think we have done things quite well. We have handled things quite well. So let's not spoil it.

But Canada, so this report is the UK government's 10-year plan. The UK are not legalising cannabis over the next 10 years. Neither is the Isle of Man, neither is Jersey. Neither is our nearest continental partner, France. It is not. Why does Guernsey have to be the first? I do not know. Is it wise to treat that in the business plan as a priority? Well, let's think about that. Where is the detail on it? There is none.

How much is it going to cost? We are just going to scope things. Yes, I have heard about the just scoping of things, I saw Deputy Roffey scoped the harbours, which we could not agree on. It was almost £2 million that we scoped. I am not picking you, Deputy Roffey, your department, but I have heard that the last couple of years we spent £400,000 I think, was it £400,000 scoping the Dairy? No?

**Deputy Roffey:** It was not ...

**Deputy Vermeulen:** Last couple of years

**Deputy Roffey:** Are you giving way?

**Deputy Vermeulen:** I give way.

**Deputy Roffey:** No, it was not a scoping exercise. It was a full-blown outline business case, as approved by the States when they voted in favour of a new Dairy.

**Deputy Vermeulen:** There are costs involved.

What sort of resources would you need to look at the scoping? I think the clue is in the name. What are you looking at? It is legislation. Now we have got Moneyval coming up and I am feeling the pressure, sir, I am feeling the pressure of that getting ever closer and ever closer. That is a top priority. That is a top priority. (**A Member:** Hear, hear.)

We cannot afford for that to fail. We cannot afford to have our limited resources put into scoping, 'It is just scoping, we are going to look at legislation for cannabis.' 'But hang on, we were doing Money –' 'No. It is all about cannabis now.' 'But if we lose Moneyval and we do not pass the inspection ...' 'No, it is going to cannabis.'

So, priorities are really important and I think we need to go very carefully on that –

**Deputy Kazantseva-Miller:** Point of correction.

**The Bailiff:** Point of correction, Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** I think Deputy Vermeulen is really misleading the Assembly by saying that resources to do the work on the scoping at the Health Committee will divert attention from Moneyval.

**The Bailiff:** Deputy Vermeulen to continue. I think the real point, Deputy Vermeulen, is that the successful amendment that is put in Proposition 14B(iii) arguably provides adequate resources for the scoping exercise.

**Deputy Vermeulen:** Yes, I know that, sir, and it also makes sure that it is not just Health marking their own homework. Home and P&R are also involved too. So that was an improvement to the Work Plan and well done those who supported it.



1400 But if we are going to look at legislation, let's be honest, we are going to need some more lawyers. If we cannot utilise the ones which we have got there is going to be a cost involved in that. So do not go into this blind. There are significant costs and there are significant health risks.

1405 Now, some people tell me that legislation is the cure-all for this. If we introduce legislation that will be the end of it, we will have no worries. Well, I thought, hang on a minute, I was young once. Not so long ago, you do not have to laugh! I was young once and I observed things when I was out and about with my friends and I think the argument for this relies very heavily on the impact of good regulation to justify the approach to cannabis.

1410 So some of the questions I would like to raise to people that perhaps are not in the Assembly. Deputy Parkinson, there are some others that might be able to answer this: has regulation been effective to prevent youngsters from smoking? I am not sure it has. Has regulation been effective to prevent youngsters, sir, from drinking? No. Has regulation of prescription drugs by HSC been effective to prevent the diversion of such drugs onto the black market? No. This is all legislative things.

1415 Has regulation of prescribed medical cannabis by HSC been effective to prevent diversion of medicinal cannabis onto the black market? No. The truth is, once you allow any drug, be it tobacco, alcohol, medicinal drugs, or cannabis to be freely available, even under regulated circumstances, you cannot prevent its further distribution, especially amongst our youngsters.

1420 I think that is a very important point that we should bear in mind. We have got to think about these things. We have got to look at things in the round and there are a lot of question marks over this. Now, Canada has been held up as an example. Be more like Canada. Well, Canada was producing more cannabis than it could use and has had a big bonfire recently. Canada legalised cannabis for recreational use. Now a government survey reported on cannabis usage in 2021, 25% of people reported they had used cannabis within the last year, compared to only 22% in 2017, indicating a slight increase in cannabis users with the legislation. So is that what is going to happen in Guernsey? There you go.

1425 In Canada there are still areas for improvement being acknowledged, with 50% of cannabis sales – 50%, sir, four billion dollars' worth – stemming from the illegal market. That is Canada.

1430 California, whilst cannabis is only legal for adults over 21, California's national health and drug report, 2019, found increased cannabis use amongst its youth. The youth. The very youth we have got to protect here. We have got to protect all people. That is what Home does, keeps it safe and secure, the Island, but our young people are vulnerable. I do not like to see dispensaries setting up next to schools on the Island. I do not think that is right.

1435 But California increased cannabis use amongst its youth, 8% of young people between 12 to 17, using cannabis annually, which is above the national average for America at 6.8%. Cannabis use in those aged 12 and over is 19.4% compared to the USA national average of 16.2%. That suggests greater cannabis use, generally, in California, which some people say Guernsey should be more like. I do not think we should be doing that.

1440 It also reported that 6.5% of young people between 18 and 25 had a cannabis use disorder or addiction. The annual average prevalence of past-year marijuana use disorder in California, aged over 12, was 2.1%, higher than the national average of 1.6%, indicating greater, problematical use in younger people.

1445 Whilst California legalised cannabis in 2016, they legalised it, the illegal market remains the more profitable market. It is reported that buying legal cannabis from a dispensary can be up to three times the cost of illegal sources. Something Deputy Mahoney highlighted. You cannot stop the black market, even with legislation. It is not decriminalisation, legislation. You cannot stop youngsters from using it.

Now, with medical cannabis, in Guernsey, I understand, through my discussions with the public that there are five teenagers being treated in Guernsey for cannabis psychosis already. I would expect that to increase with medicinal cannabis and with legislation scoping that would probably grow further.

1450 How much is this going to cost the Health department? Mental psychosis of young brains, young brains that are vulnerable to this type of powerful drug, and it is getting stronger. There is no doubt about it. We have seen crimes committed. We have seen murders committed in Guernsey that involved skunk and I think you have got to go very carefully.

There is, 'It is only marijuana, yes,' says part of the population, 'It is only a scoping exercise'. Be careful what you are voting for.

Now I think Edmund Burke is attributed to have said, 'All that has to happen for evil to survive is for good men to do nothing.' Do not do nothing here. Vote for 14A and the problem goes away. Vote against 14B. That is all I have got to say.

Sorry, sir.

**The Bailiff:** Deputy Trott.

**Deputy Trott:** Thank you, sir.

I shall not take long and I am sure you will be relieved, as others may be, that I am not going to talk about cannabis. I have decided to take the high road, sir! (*Laughter*) I mean I do not think a debate like this is the place for gags, but what do you call a contortionist with two spliffs? Double-jointed! Anyway, there we are.

I would like to join ... (*Interjection*) You are a long time dead! I would like to join the long list of people who have paid credit to those who are involved with this States' Report because I know from previous roles just how much effort goes into something like this and I agree that the relatively small list of priorities is in itself an example of the success of a document such as this.

I recently went back to school. I thought after a while in this Assembly it probably would not be a bad thing to refresh my strategic policy planning skills and, through the Institute of Management and Leadership, I was pleased to be able to gain a diploma in strategic policy planning. Of course, it is the old story: it does not matter how thorough a document is, various events happen, which by nature change the focus of priorities. It does not matter how good the planning is, with its first engagement with the enemy such planning is quickly modified.

I think we are in that sort of situation now. I will come onto that in a moment. I listened intently to Deputy Murray's speech and I think he has a very pragmatic approach to politics but he said one thing that I think we do need to distinguish between. He said we are a tiny speck on the world stage, or words to that effect. In terms of our contribution to environmental policy, I would agree.

But when it comes to financial services, that is not the case. We are not a tiny speck. In fact, anything but. We are a force of good and we are internationally recognised as being one of the best regulated and most internationally compliant jurisdictions in the world and certainly in the top 25 category for, broadly, but in some areas, of course, such as captive insurance, the leading domicile in Europe.

Why do I say that? Because I think everyone who has mentioned the upcoming Moneyval visit needs to understand that by the next time we debate this policy planning document, i.e. in June of next year, it will already be too late if we have not got everything right before then. Because of the way in which the scoping exercise is done, the way that information is gathered.

Now I do not doubt for one moment that this Assembly will deal with any legislative matters that it needs to deal with within that timeframe but there are other factors, sir, and I have no intentions of going into the detail as to what those factors are but there are other factors that, if not dealt with swiftly and expeditiously, could impact on the outcome of that evaluation and I know that those within the relevant positions in this Assembly know precisely what I am talking about and we really must address those issues because failure, non-compliance, some sort of grey-listing, would have potentially very significant consequences for everything we are trying to do.

Now I want to talk about the cost of living for a while. Not only because it is a very real issue but of course, in the very recent election in Jersey, two issues dominated: housing and the cost of living crisis. Now we have spoken at great length about housing and the associated cost of living effects but cost of living, of course, is more broad than that.

I would like to just remind people of what the macro-economic environment looks like right now. US stocks have seen the worst first-half drop in 50 years. The worst first-half drop for 50 years. In fact, the benchmark S&P 500 – and it is a case of, always, the United States sneezes and the rest of the world catches a cold, this is why this is so relevant – the benchmark S&P has fallen by 20.6% since the start of this year. It is in bear territory and a very large number of economists, the majority, are now predicting the US economy will enter recession by the end of this year. So these are very serious macro-economic conditions. In fact, US growth is down to just 0.8% during the last quarter. So it does look increasingly likely that the scenario that I have mentioned will in fact materialise.

So why does this matter? Well, it matters because the three largest central bank leaders are now saying that the era of moderate inflation and low market rates has ended. The halcyon days of the last 20 or 30 years, or the last 10 years in particular, are likely to be a thing of the past.

Now this has consequences for our major industry because much of our industry is paid by the value of the assets that it looks after. So, if international markets are falling then the amount of revenues that many within our industry get will also fall and, at a time of rising inflation, really significant wage inflation difficulties that we face, profits will fall and that will have an effect for general revenue.

Interestingly, I am told that our ETI numbers, which is where we get the majority of our tax, are extremely robust. In fact, robust to the extent that I think some are starting to raise their eyebrows as to how accurate they may be.

This leads me onto the final point I want to make. I am making the point here that an almost laser-like, a microscopic approach to cost of living is needed in everything we do for the next few months and possibly for the next few years. But I want to talk about tax because it has not gone quiet but of course it has been, in many respects, it remains the elephant in the room. Very few have talked about the tax issues and of course this year is a seminal year because we are going to be making a big decision at the end of 2022.

But I was watching *Channel Television* last night and there was an interview with the retiring Lieutenant Governor of Jersey and he implored the new Jersey Assembly to take the people of Jersey with them, which was an unusual comment because what he was clearly insinuating is that the previous administration failed to do that and I offer no view as to whether that was the case or not. But I do absolutely identify with those comments.

Because I really do not think we are doing enough to get across the message that we are not miracle workers and the key argument for me is here in Guernsey we take 21% of our GDP and in Jersey they take 26%. In the United Kingdom it is in the mid-30s and our nearest large neighbour, France, it is nearly 50%. But the point is you cannot provide public services to the standard to which our community has become accustomed taking 21% from your economy. So we have got to take more tax. Deputy Murray is still on that journey but the truth is we have little choice if we are going to sustain public services anywhere near the level we currently have.

Sir, we do need to up the game in explaining that and the way I would prefer us to do it is to remind our community of what things cost. I have been banging the drum about this for a long time now. People have got to understand that medical inflation and global inflation is having such an effect on these prices, the supply chain difficulties and all the rest of it.

That leads me really to, this is probably not quite as helpful as my other comments but it is something I feel quite strongly about and that is Guernsey's inflation rate. I do not believe it. I understand how it is calculated and it is calculated based on a basket of components and that basket is measured through some fairly sophisticated surveys from within our community.

But I do not believe that Guernsey's inflation rate is at such a discount to the UK's and I think we need to bear that in mind because whilst it may be an advantage to us when we are dealing with wage negotiations and things of that nature, if those on fixed incomes and those on low incomes, if the gap between the haves and the have-nots continues to widen then we are living in a false economy if we assist that through having an inflation record that is inaccurate. It does those at the lower end of our society no good at all.

1555 So I do hope those comments were helpful. I do, again, congratulate those who have been behind this report and for the quality of the debate over the last few days. It has not been, in my view, particularly fractious. It could have been. And I think it shows an ever-increasing collegiate approach in this Assembly as people are coming together, settling down, maturing and that can only be good for our community.

1560 Probably the final point is this. Deputy Ferbrache and his colleagues have got a very difficult job but they are dealing with the issues of success rather than the issues of failure and I think we would all much prefer to have that challenge than the contrary, which of course would be far, far more difficult for us to remedy.

Thank you, sir,

**The Bailiff:** Deputy Ferbrache.

1565 **Deputy Ferbrache:** Sir, I would like to start by congratulating Deputy Trott on his last speech because it brought a degree of realism. What the idea of the Government Work Plan is is to put in place what is feasible. Now what he has talked about is the rise in cost of living, the collapse of the stock markets and the expectations, the realism and I accept his comment, it was not meant as a criticism, it was a comment that we have got to do more to get the message out there to the public that things are costing more. Health, for example, and lots of other things. Therefore we are going to be in a position whereby we are going to have to address the tax situation.

1575 Because we cannot just keep expecting to add service upon service, or even maintain the services without looking again at the cost of living and the tax situation. So I say to him, sir, via you, well said and I agree with that absolutely and completely.

Now that takes us to the Government Work Plan. Just before I come to that in any detail, I would also like to commend one other speech, which was one given earlier this morning by Deputy de Lisle, where he is the only person so far who spoke in any detail about energy and renewables, etc. and I commend it.

1580 What I do say to him, he said lots of private people, operators, businesses have got burdens, they have got hurdles that they cannot overcome or they have got difficulties that they are facing. What I would say to him is please ask those people to write to us with those difficulties because I am not aware of what they all are. It may be that they are not solvable but they should be addressed. And it may be that they are not all reasonable but they should be addressed.

1585 Because, in due course, one of the other great concerns that we have had, and somebody else spoke about it, I think it was Deputy Dyke, is about spending £100 million or thereabouts on the cable link to France. Now, at the moment, that is a key part of our energy policy. Whether that is sustainable going forward is something that we are going to need to review.

1590 Now I appeared on a Radio 4 programme a few weeks ago and one of the issues that came up was energy and somebody who I think should have known better, after one of the panellists, said well Guernsey can go out and spend, perhaps, would be better spending £2 billion – *billion* – on investigating renewables. I have since written to that person saying can he please tell me where Guernsey, bearing in mind our tax take, somewhere between £550 million and £560 million *per annum*, and we have got all the things to pay, teachers' wages, all the kaboodle, where we are going to find £2 billion.

1595 He also said to the audience that renewable energy already exists in a form that it could provide Guernsey's energy needs and just the political will is not there. Certainly on my part the political will is there and I would literally turn on the tap tomorrow if that energy requirement could be met by renewable energy.

1600 I know Deputy de Lisle is particularly interested in this subject and I know he is doing a considerable amount of work with some colleagues behind the scenes and I am grateful for that and when he can bring it forward, I would ask him to do so. But it does not help when you have got people who are supposedly in influence just making off-the-cuff statements that we could do this, that and the other. I have also written to that person asking to provide details in relation to that. At

1605 the moment I have not had a reply to either of those two points. Now he is probably hearing me say it on the radio, perhaps I will get it by email this afternoon.

But the point is generally, when we look at resources ... now I was hoping to hear, but I felt I had to speak now, two what probably would be significant speeches on cannabis or not cannabis from Deputy Leadbeater and Deputy Taylor. Perhaps they will come in due course and they may influence  
1610 me in relation to Proposition 14. Because I am very much in the same position as Deputy Burford. What we are asking, and it is a point that Deputy Trott has made, about resources. We can only do things if we have resources.

Now I heard somebody, a good friend of mine, a political colleague, who I have got a great affinity to, say yesterday, and it is a person who is in favour of small government, I am still waiting  
1615 for him to tell me how we are going to get a smaller government, it will no doubt come between now and November/December, say we should do this, we should go with 14B, we have got to do it.

I have not heard anybody yet tell us where those resources are going to come from because they are not magic. Sooty and Sweep were magic. Harry Corbett was magic. But we cannot magic  
1620 resources.

Also surprised, because one of the category one issues that nobody spoke against yet because, hopefully, it is completely uncontroversial, is number five, Proposition 5, which is:

To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:

Health recovery:

- i. Determine proposals to provide targeted support based on affordability in respect of primary care appointments and access to aids and adaptations; and
- ii. Establish whether or not to explore the introduction of a compulsory insurance scheme for primary care;

Both of those seem to me to be absolutely imperative considerations that we should give a  
1625 *[inaudible]*

Now Deputy McKenna said, and he knows because of his experience working closely with hospitals, etc., over many years, he said, 'Look we have got 70 vacancies for mental health workers.' I know, because it came to P&R as recently as Tuesday, that we are looking at – and it is no criticism, I do not want to be criticising the Health Committee – we are looking at an overspend in relation  
1630 to agency staff this year of £1.7 million.

We have got a backlog in operations. We have a backlog in so many services in relation to health and yet four Members, four Members of the Health Committee felt that it was imperative to bring into play what would be, if passed, Proposition 14B. So imperative. One of them comes from Alderney and in relation to that, the States of Guernsey have assisted Alderney greatly, recently, in  
1635 relation to their problems with their primary care. It is not actually Guernsey's responsibility but Guernsey, as usual, has jumped to the aid, senior civil servants have jumped to the aid, local medical practices jumped to the aid of Alderney by doing that.

That should be the concentration of Alderney. The States of Guernsey also later this year will be asked whether or not to spend a considerable amount of money on extending the Alderney runway.  
1640 I know that is a topic close to my good friend Deputy Trott's heart. But in relation to that, yet the Alderney Representatives and their health committee, think it is more important to look into cannabis and spend resources on cannabis that we have not got.

I have got to say that disappoints me and disappoints me because I am a good friend of Alderney and I would have thought that a conversation with me about resources, from the Alderney  
1645 Representatives, would have been helpful. Very sad that that did not occur. I am not giving way.

In relation to the situation about, and I liked Deputy Brouard's analogy about the Disneyland brochure, because the four people who are advocating it on the Health Committee, they have got their Disneyland brochure, they know where they are going to go, they might not know exactly where it is going to lead but they know where they are going to go.

Now I have waxed and waned in relation to that. Because I have always been a liberal in most social policy things because people's lives should only be interfered with by the state when it is absolutely necessary. (**A Member:** Hear, hear.) I am the third oldest person in this room and I can remember contemporaries of mine going to prison in Guernsey for six months for possessing tiny amounts of cannabis. That was abhorrent. Absolutely abhorrent. We do not do that now and there is not one person in our jail who is there simply for possession of cannabis and there has not been one person in our jail who has been in prison for cannabis for a very long time.

I accept the point though that Deputy Leadbeater made in an earlier discussion in relation to it is not just going to jail, it is other points. I think what he is probably going to refer to, I was going to actually hope to hear it but I will no doubt hear from him in due course, is people cautioned, because a caution goes on your criminal record and that is a bar. That is a bar but that could be dealt with by an amendment or an adjustment to the Rehabilitation of Offenders Law. Because you could say that, after three months, six months or whatever, it is expunged completely, completely from your record. Nobody has got the right to have access to it.

The US authorities, there are 31 states that still say that drugs are illegal, I know Deputy Cameron refers to the 19 but take 19 from 50 and you have got 31, so the majority of the states in the USA that say that drugs are illegal would not then find out about that because it would not be on your record.

I would much prefer that if the Police catch somebody with a little bit of drugs on them that they just say, 'Forget it, don't do it again Fred or Freda. Just forget it.' I appreciate that is difficult if you are a police officer, you have got to uphold the law, but a police officer has also got to exercise their common sense. My maternal grandfather was a policeman. He was the gentlest policeman ever and I think in his many years in the Police Force he arrested about four people and that was reluctantly! So there is a way that you can do it in a common sense way.

Some of the other speakers referred to people and the way that the Police speak. They generally speak to people in a non-confrontational way to make sure that the rule of law is upheld in a proper way in this society.

Now I was going to vote against 14B. I am certainly going to vote in 14A but I was going to vote against 14B. Then I was going to vote in favour of it. Then I was going to abstain. So, a bit like one of the other votes yesterday, you are going to have to wait until the vote comes to see precisely where I am going to vote. But I am concerned that we just pluck things out of the air.

Cannabis will come. More than one speaker said, 'Eventually cannabis will be legal.' It is naïve in the extreme, even with a regulated cannabis industry, to expect that there will not be black marketeers, that there will not be breach of the regulations and you are going to have to have police officers to enforce those regulations and also probably some kind of commission.

Because if you allow cannabis you have got to have who is going to supply it, at what cost, are we going to have as many wacky baccy two-pound shops in the high streets and others – because there are plenty of vacant shops – selling wacky baccy? Under what conditions will they do it? All of that has got to be considered.

I have not heard one speaker yet, but maybe Deputy Leadbeater will tell us that when he speaks, as to how that is going to work in practice. Now the position in relation to that, if we look at the wording of 14B, if we look at the wording it provides that – and I appreciate it is only if 14A is not approved – I think probably 14A is not going to be approved because it seems to be, the balance of speakers have indicated which way they are going to vote on 14A/B. But it is:

To direct –

i) the Committee for Health & Social Care to develop the schedule of work and resource requirements necessary to implement Resolution 3(iii) made by the States of Deliberation on 15th July 2020,

So the Committee for Health & Social Care must have some time on its hands. It must not have the problem of thinking about, I heard a programme on Radio 4 the other day, a couple of weeks ago now, that one nurse in five is thinking of giving up. Where are we going to get our nurses from?

Wouldn't they be better addressing that rather than ... but they have got time to consider this? They have got time on their hands to go and scope. What is meant by scoping? What is the detail of the scope? Who is going to do it? What is the cost going to be involved? Who has got the expertise to do it?

But the Committee *for* Health & Social Care, by a majority, have got all that time on their hands, with all the other problems that we have got, to be able to do it.

Now I do not care. I believe, I fully accept the medical professionals who say that there should be medicinal cannabis. Absolutely, they know far more about it than me. It gives people both physical and mental comfort. I accept that completely. But I have also, I was listening, again, to, I was watching *Question Time* last night on the telly. It was in Scotland.

In Scotland they have got three times the amount of people who die from drug abuse as anywhere else in the UK. Now that does not mean we transmit it down here and I do not think we are ever going to see like we see in lots of States in America, on the streets of Chicago, where they have got people dying from drugs in public gaze. I do not think we will have that. But we have got to be very careful before we go down this path.

So we have got to have that. Have we got to have it now, is what I should rather than that. So it goes on to we have the review, to:

... review of the legal status of cannabis to be undertaken and to submit the schedule to ...

– P&R in nine months' time, in March 2023. And, P&R:

... to update the 2022 Government Work Plan ... having consulted with the Committee for Health & Social Care ...

We are very busy in P&R but obviously the Committee *for* Health & Social Care is not as busy because it has got time to think about these particular projects:

... to include in the Government Work Plan Update to be debated in June 2023 the resource requirements for, and the impact of any prioritisation of this work on, the phasing and achievability of other actions in the Government Work Plan ....

What does that mean? How is that going to be achieved? What effort is going to go into it? What cost is going to go into it? What other things are going to have to be cast asunder? I do not know. Not one of the speakers in relation to that has put any meat on the bone yet in connection with that. And I have got to say I find that – I accept fully, I will just go through my mind as I was about to say something on the thoughts of Deputy Trott, in the conciliatory way that we should move forward – so I find that disappointing that they have not done that, that they have not come up with that information.

And the final part, (iii), the P&R Committee:

... to provide adequate cross-committee resources to support the scoping of this work to ensure that the exercise does not impact on the progress of current priority actions being delivered or result in a need to reprioritise action and that the resultant schedule of work and resource requirements reflects cross-committee needs.

It took me about 16 reads to even semi-understand that sub-paragraph. But what I think it means is that we have got to come up and provide adequate cross-committee resources. We are already telling the States, but it does not seem to want to hear, we have not got adequate resources. Where are we going to find them? Where, I did not hear, maybe he is going to contribute in due course, Alderney Representative Snowden, to find where we will get those resources. Deputy Bury did not tell us when she spoke where we were going to get those resources.

The other two Members of ... Deputy Matthews did not tell us when he spoke, where we would get those resources. I forget who the other Member of Health & Social Care is. Deputy Leadbeater. He may tell us because he is going to have the opportunity as to where we are going to get those resources.

Because I do not know. I have lifted up the mat; the mat that Deputy Brouard was telling us about yesterday got lifted in his kitchen because it had all these things coming out. I have lifted up the mat, I have even asked him if I can lift up his mat to see if they are there. I cannot find any resources to do this. There are not any resources to do it.

1745 Deputy Kazan ... Casanova-Miller was completely right when she said yesterday that drink is as bad or worse –

**Deputy Kazantseva-Miller:** Point of correction.

1750 **The Bailiff:** Point of correction, Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Sir, I have to unfortunately correct Deputy Ferbrache that my surname is Deputy Kazantseva-Miller, not Casanova-Miller. I think we are nearly three years working together, I think it is about time Deputy Ferbrache learned how to pronounce it.

1755 Thank you.

**The Bailiff:** Deputy Ferbrache.

1760 **Deputy Ferbrache:** I appreciate that. No offence was intended. It was mispronunciation by error. So I apologise for the mispronunciation.

But what she said yesterday was that drink was bad or worse than drugs. I fully accept that. Deputy Roffey has made the point. I am not in this Assembly to tell people that they should not have four or five glasses of wine and a Calvados tonight, if that is what they want to do. Or more! *(Laughter)* I am not in a position to do that. Or if somebody wants to smoke 20 cigarettes, which is clearly bad for their health, I am not in a position to tell them not to do that. I am not in a position to tell people not to eat fatty food, which is clearly bad for them.

That is not for me to do. That is for individuals, adults, to make those choices. We give guidance to younger people to try and put them on the right path. So in relation to all of that we are in that position that we are stuck with resources. But I would like to come away from that topic because, as I say, we are not going to resolve the cannabis or not cannabis debate. I do not want to criminalise anybody for use of a small amount of drug.

One thing, just before I do finalise and I have got to say, when I was listening to some of the speeches I googled how many days I have been alive and how many days I have been a lawyer. I have been alive 25,915 days, I have been a lawyer for 18,243 of them. So in relation to that point, Deputy Parkinson spoke about and I am not going to go into the individual case about somebody who was sentenced to three years, three years three months, whatever.

That person, like anybody else, if they believe that they have been incorrectly sentenced by the Royal Court, has a right to apply to the Court of Appeal for leave to appeal against sentence and that Court of Appeal would determine matters. We have got a doctrine of separation of powers here, which works splendidly.

Compare that with the United States, where their Supreme Court, three times in recent weeks, has come up with purely political decisions. All very bad. One about the gun law, one about abortion – what an abomination that is of a decision – and very recently about climate control. Three bad decisions because they are all politically motivated decisions.

1785 We do not have that. We have a complete separation of powers. Now, what happened many years ago is that the Court of Appeal sat, I think it was seven people, they sat – Court of Appeal normally comprises three people – they sat and they decided to send out sentencing policy on drug matters.

1790 That was some years ago. It was tested again about 12 or 18 months ago and the Court of Appeal said that sentencing policy is still current today. Or that was 12-18 months ago. And I am sure that will get reviewed in due course, because that is the way sentencing policy is. But that must be a



matter for the courts, not for us as politicians. It must never be a matter for us as politicians. I would like to move away from that.

1795 I would like to say all the other things, all the good things that there is to say about the Bailiwick of Guernsey. All the good things. We have got a housing crisis. We are going to address that. We are not going to solve it because it is impossible to solve. We have got a vibrant economy. We had good tax receipts, better than ... we will come to the Accounts, perhaps today. We will come to the Accounts and that shows a better than expected tax result last year. It is okay this year. It is mainly inflation-led. It is okay this year, albeit as Deputy Trott has already really predicted it, investment  
1800 returns are likely to be significantly less than they were 12 months ago for reasons that he has already mentioned.

We have got so many good things to put forward. We are decent people. We have got the rule of law. This is a democratic Assembly. As Deputy Vermeulen so well said, we may disagree with each other. We may think he or she is talking rubbish on occasions, but we respect that person's views  
1805 and we know that every single Member of this Assembly, not only the people who are in this room today but the people who are not here for other reasons, is doing their best. We are all trying to do our best for our community.

We will do it in slightly different ways because we are individuals. But we should embrace this Government Work Plan. I really am very grateful for all the excellent work done by Deputy Soulsby  
1810 and the officers, who put in a considerable amount of effort as well, to bring us to where we are. But can we move forward in relation to that? Let's not just centre upon the cannabis issue about whether we are going to vote for it or not going to vote for it. But let's be realistic as to what we can achieve. We have got limited resources. Let's use those the best way that we can.

Sir, before I conclude, it is nearly half-past 12, I am not going to speak further. Can I suggest, as  
1815 I am on my feet, that we again have a shorter lunch break, like yesterday, 12.45 to two o'clock?

**The Bailiff:** As Deputy de Sausmarez leaps to her feet then I will call her to speak.  
Deputy de Sausmarez.

1820 **Deputy de Sausmarez:** Was that leapy enough, sir?

**The Bailiff:** Reasonably!

**Deputy de Sausmarez:** Thank you.

1825 I cannot promise to get this into five minutes but I hope not to be too long. I will start where Deputy Ferbrache left off, or nearly. Not on the issue of lunch but on the issue of thanking the work that Deputy Soulsby, P&R, their officers and also the officers who support all the other Committees that have contributed significant efforts to this have put into the formation of the policy letter. I know it has ... I think someone used the expression herding cats, and I think that is probably not  
1830 too far off but I think they did an admirable job to get to where we are now.

I am going to try to work through the Propositions that I want to comment on in order, starting of course with Proposition 1, which I think is really problematic. I think we are in a bit of a pickle because if we do not vote on Proposition 1, we have no opportunity to vote to support the prioritisation of housing, which I certainly support and I sense that there is unanimous sentiment  
1835 on that issue.

But if we do vote for Proposition 1, we will be requiring the DPA to publish supplementary planning guidance that is legally inconsistent, as confirmed by H.M. Comptroller, with the actual planning policy –

1840 **Deputy Dyke:** Point of correction.

**The Bailiff:** Point of correction, Deputy Dyke.

1845 **Deputy Dyke:** H.M. Comptroller confirmed that he thought there was a grey area, which needed some thought, which is completely different.

**The Bailiff:** Deputy de Sausmarez to continue.

1850 **Deputy de Sausmarez:** Certainly in email correspondence with me and I think also, verbally, in this Assembly, H.M. Comptroller confirmed that supplementary planning guidance, in the form that it is currently in, directed in Proposition 1, would be inconsistent with the planning policy. I believe that is the case. So the supplementary planning guidance, if it goes in, would be inconsistent with GP11, which is the actual planning policy.

1855 Deputy Inder, I think, was not quite right when he said, 'Well it is policy, we can change that.' Well, in general terms, yes, but of course this particular policy is underpinned by Planning Law and that Planning Law stipulates certain processes, statutory processes, that need to be adhered to, in order to change the policy. So it is not that simple. This is still the cart before the house. I still think the DPA is in a quandary and is in a very awkward position because it is being directed to produce supplementary planning guidance that does not reflect what is in the actual policy as outlined or as stated in the IDP.

1860 So, I think on balance I will have to vote for Proposition 1, even though it is a curate's egg, but I just want to put on record that, in doing so, I do not support that aspect of it and I really would have preferred the amendment that brought it about to have enabled separate votes on that. That is another victim of the same sort of procedural problem, is Proposition 1C.

1865 Again, I think I have to vote in favour of it, because 1C is the only vehicle we have to support the work that I hope will lead to the scheme espoused in the amendment that I seconded with Deputy Roffey, to bring about a new, affordable housing tenure based on ownership at 75% of market value. But also there is no way of disaggregating that from looking at current and future homes managed or owned by the GHA and indeed the States to be included in that.

1870 So, of course, if that becomes the Resolution that is what we will do but again I would have preferred to have been able to vote separately on those issues because I would not have supported that. But I will vote for it.

1875 Proposition 2, population. Deputy Murray provided us with some analysis and like much analysis I hear on the subject of population, the thing that really frustrates me is that something that everyone assumes is a constant is productivity and I completely disagree. I think productivity is potentially a really significant variable and, just to give one small example, the latest Women in Work Index, produced by PwC for the Channel Islands, shows that actually by increasing women's employment rates, we could boost GDP by up to £176 million.

1880 So that is an example of how, even with a constant population, we can positively impact other factors in a way that does not necessarily involve increasing our population because I fear otherwise we just end up in a real Ponzi scheme. If we assume that all things remain constant and the only dial that we have to turn is the number of people, then I think we get into a very complicated situation where there is no end in sight, there is no sort of resolution to that. So I really hope that that work will include a strong focus on productivity and the things that we can do to positively affect it.

1885 Proposition 7, energy and resilience, I am glad Deputy de Lisle raised this. He said that we need action now and I do not know how it has escaped his attention, because I think I do go on about it an awful lot, but we are acting now in a very big way. It is a huge focus for E&I. It is the primary focus of the Energy Policy, which in itself is a top priority for the Committee and we are working on the Electricity Strategy. It is a huge bit of work. We are working to a really ambitious timeline. It will come back to the States this year and it is a really collaborative bit of work as well.

1890 Deputy de Lisle said that people grumbling in the private sector, that they did not know. We have involved, first of all in parliamentary terms we have got a steering group, which has got cross-Committee representation, including representation from P&R in the form of Deputy Le Tocq and both STSB and Economic Development, in the form of Deputy Moakes.

But really importantly it involves the expertise, specific and highly relevant and highly informed expertise that we have engaged in the form of PwC and Siemens, for doing this work. But we also have something called an Energy Partnership which is the vehicle, the mechanism to involve all the relevant stakeholders, including representatives of the local energy sector here in that process. It is highly collaborative and I think actually the media might find it a little bit frustrating, whenever they go to events where we discuss this because it is genuinely collaborative. It is a genuinely productive process and we are working flat out on it.

It is a hugely important bit of work. Basically, as I have described before, there are three main elements to it. There is a market strategy, a supply strategy and a demand strategy. I think that latter bit is what really distinguishes us from the UK's approach, which Deputy de Lisle applauded. I think ours is so much better in that respect because I think one of the criticisms of the UK's approach was that it pretty much ignores the demand side elements and I think that is a very dangerous thing to do, especially in the current context.

So Deputy Ferbrache did say he knew that there were many Deputies working behind the scenes on this. Now we invited all Members that we knew had a particular interest in that and who had been having conversation. We thought it was a ridiculous situation for conversations to be happening, you now, separately, so we invited those Deputies to a meeting and we invited those Deputies to submit their ideas so that we could specifically include them in our work on the Electricity Strategy.

It is a little surprising, perhaps, that not one of them has done that, even though they have been invited, implored to, in fact, so that we can consider those ideas when we are doing the modelling and I have to say the modelling is looking really encouraging. I think it is a really robust model or set of models that we are using for this process.

Now it is a pretty complex and challenging task because the Energy Policy's objectives are decarbonisation, security and resilience of supply, consumer value and choice, equity and fairness, supporting a vibrant economy and greater energy independence and I am sure we would all agree that those objectives are all really valuable. But they are not mutually inclusive, necessarily, and I think we do need to acknowledge that, depending on how we weight those priorities, we will get different results.

So the Electricity Strategy work is about how we achieve those, with respect to electricity, the electricity market. And there do have to be trade-offs. So, for example, if we decided that the only thing, the most important thing that had to be prioritised above all else was greater energy independence then that would, in all likelihood, come at some considerable cost to taxpayers and/or consumers. So we have to find a balance between these different things and that is what the Electricity Strategy is all about and that is why it is such a complex and such an important piece of work.

I think that last example I gave, as well, does bring me back to the lessons that we need to learn from the current cost of living crisis that we find ourselves in. I am sure – well I very much hope – there is no one sitting in this Chamber who is unaware of quite how much pressure many members of our community are under at the moment. They are really under the cosh in terms of the cost of living increases and we have been insulated compared with some jurisdictions, like the UK, to some degree, but it still is really squeezing people.

This sort of underscores, for me, the importance of taking this approach and especially that demand side focus that I talked about earlier because if we only look at ameliorating the symptoms without looking at the underlying causes then we are likely to spend an awful lot more money to achieve less good results than if we look at the issue more holistically and look at what we can do to reduce our dependence and use of hydrocarbons, for example, and really look at those core issues about how to save energy and money in the first place.

Because of course, after all, the most affordable and the least damaging unit of energy is the one that we do not use. So if we can really focus on reducing the need to use energy then we are going to have a positive impact all the way down that line.

Proposition 8, Deputy Murray talked about Proposition 8, which is about the response to the decision in principle to the extension of the Paris Agreement. Deputy Murray will hopefully be reassured to know that we are looking very carefully at the potential costs and benefits before a final decision will be made on that particular point.

When it comes to the panel, I hope he will also be assured that it is an expert panel. That is the whole point. To enable us to have access to the information and the expertise that we need and we currently lack. Because otherwise all we have is effectively the equivalent of people googling it, which is a very serious concern.

But I am not going to go down the rabbit hole that is climate science. It is there. I am amazed that this has really come up in that particular way but I appreciate that people have views and if they are not persuaded by the enormous scientific consensus on this then perhaps they might be swayed by the economic aspect and take that seriously.

Deputy Murray did describe us as a tiny speck of some description. But as Deputy Trott explained, we are no such thing, in terms of our finance industry and our Island economy is, of course, highly dependent on that industry, and an important part of that is the green finance sector. Now Deputy Murray want to talk with his fellow party member, Deputy Moakes, about how important green finance is and how important it is to that sector that we take our international obligations seriously and, more specifically, that we walk the walk domestically.

If we do not, that is the number one concern for them. Their concern, it is such a huge reputational risk that we go out there, we promote ourselves as a green and sustainable finance centre and we are at risk if we do not have domestic policies that can back up that claim, that positioning, that policy position. Then that is their grave concern and I am urged every time I speak with them, anyone from that sector, to please do more, do it faster, do it well. It is a really serious aspect to our economic situation.

Deputy Dyke, gosh, Deputy Dyke did recommend a book – (*Interjection*) two books. I did not catch the title of one of them but I did catch the title of another and that was one that he had previously recommended by email and as it seems he does not read the information I sent back about that, I do have to put a bit of a health warning on it. It is really, strongly, criticised by the climate science community and it is described as having little or no credibility. The numbers are presented ... first of all the particular author of one of the books, Dr Bjørn Lomborg, is not a climate scientist.

He is a political scientist and he understates the potential economic impacts of climate change, exaggerates the cost of cutting greenhouse gases, all sorts of other things. Doubles the cost estimates of action by the European Union, misrepresents the impact of the Paris Agreement on Climate Change. Cherry picks from that dated model, estimates of the cost of climate change impacts, miscalculates optimal level of global warming, etc. I mean, the list goes on. I have previously sent round a link on that and I would be happy to look into the other book if he wants to email about it. But I am not going to go into the science.

There is just an overwhelming scientific consensus and there is a very strong economic argument. Actually that economic argument was first made very strongly back, I think it was 2006, when Dr Nicholas Stern first published his report and the situation has only got more urgent and more extreme since then. So, even if people are not persuaded by any environmental arguments, I hope they would be persuaded on the need to act by the economic arguments.

Proposition 9 follows on. That is a subject very dear to mine and I know the rest of E&I's heart as well. That is the first steps on the green and blue economy. Again, this is a really interesting piece of work because it will lay the foundations for so many other relevant policy areas, so not just the obvious ones around environment and climate change but also around green finance and tourism and renewable energy and things like that. It is a really important bit of work that and I just thought it was worth a mention.

Proposition 10 is the preferred direction, to agree the preferred direction for our future harbour requirements. (**A Member:** Hear, hear.) Hear, hear. I think I am right in saying we had that

opportunity about a year ago and it is quite frustrating that this has to be included in this list this time around but please let's get on with that.

2000        Propositions 14A and B. I think Deputy Parkinson hit the nail on the head in calling this a false dichotomy. I agree I would rather we were not presented with an either/or decision of this kind. To what degree it is a legitimate either/or is something that I am not clear on at all. I do not know to what degree the resource implications directly overlap. To me it would seem that they would be slightly different.

2005        But I would say, Deputy Ferbrache, in my view, was perhaps a little bit unfair in pointing out Members of HSC and whoever else. They were not the ones that put this in the GWP. They did not amend it in. It was his Committee that brought this forward and I thought – perhaps I am wrong – that the whole point of this exercise was so that we could agree what was resourced and if it is in here then we have an expectation that it can be resourced.

2010        So this is an either/or so the first option, if Option A cannot be resourced, then those resources are diverted to Option B or 14B. So I think that was perhaps a little bit unfair of him. But anyway, I would actually like to see both bits of work go ahead but again that is not a choice that is really available to me. I am not quite sure how I am going to vote. I do not really want to vote against A, I may abstain. I think on balance I would probably choose to prioritise B.

2015        I do not think my views on the issue are particularly relevant because we are not voting on whether to legalise or decriminalise or whatever else. I think Deputy Bury did a really good job of explaining, we are voting on the scoping. So what questions to ask, not even the answers, let alone what recommendations might follow from that. So I do not think my views are particularly relevant.

2020        But there was just one thing, as I am speaking directly after Deputy Ferbrache. I think he queried how the example that Deputy Roffey gave about someone being denied entry into the country could come about. Now, I believe that it is because travellers are asked to sign a declaration, saying that they have never been convicted of a narcotics offence.

2025        So even if the criminal record has been cleared locally, the person requesting entry into that country would need to lie in order for it not to come up on that form. I believe that is the issue. Anyway, I am not going to go into my views. We have not even seen the scoping, let alone any report, so I do not think my views on the wider issue are particularly relevant to this debate.

2030        Now Proposition 18, finally. I will support 18A, B and E, but I certainly cannot support C or D and I have to take this opportunity to reiterate my concerns on this proposed tick box exercise because I really do think it undermines our consensus form of Government and starts to replace it with something more like Government by SurveyMonkey, as I have said before.

2035        Perhaps the next step is why bother with debate? Why bother with parliament at all? Maybe in the future we can just send in our scores on a postcard from wherever we might prefer to be. Who knows? But I very much agree with Deputy Burford's view that 18C and D are not really about transparency and good governance and in my view are a backwards step in relation to both and I also support those people, or the suggestion that has been made by a few people, that there needs to be a good deal of supporting information to inform that decision-making process and I personally would like to see lists on presentations of attendance alongside any list and perhaps influencing the weighting of the scoring, I do not know.

2040        But I would also strongly support the calls for the scoring system to be published and properly scrutinised because I really do think the devil is in the detail and the results could be hugely different depending on how that is constructed, as other people have mentioned.

But I do not know whether ... I am so sorry, I have overrun. I think I had better sit down. But my thanks again to Deputy Soulsby in particular.

2045        **The Bailiff:** Well, Members of the States, I am going to consider putting a motion to you that we shorten the lunch hour, although we have eaten into it a little bit at this point, and resume at 2 p.m. rather than 2.30 p.m. but is that going to create a difficulty for a majority of Members? I do not see anyone leaping to say anything.

Deputy Gollop.

2050 **Deputy Gollop:** It does not cause me any difficulty but I think should we not work out where we are going for the rest of the day because some of us have events after 5.30 and it is very unlikely we will get through this and the Accounts and the whole Billet for June.

2055 **The Bailiff:** Let me start by at least seeing if there is a will to come back at two o'clock and then we will address what might happen from two o'clock onwards. So I am going to put the motion to you, Members of the States, that we adjourn now until two o'clock. Those in favour; those against?

*Members voted Pour.*

2060 **The Bailiff:** Well, we will shorten our lunch hour accordingly.

Deputy Gollop is right. There will come a point, whenever it might be this afternoon, where Members will have to decide what they want to do next. There are seven Propositions relating to the Accounts. We do have to do the Ordinary Meeting, however short the Ordinary Meeting might be to follow this Special Meeting, because if you do not resolve on the Schedule for Future States' Business, if nothing else, in relation to the Ordinary Meeting, you have not got any business other than the deferred business to deal with on 13th July. So there will have to be a short time to deal with that.

2065 Members will have to work out for themselves over lunch time how many votes are needed in relation to the 24, currently, Propositions in relation to the Government Work Plan. I have got some that I know are going to be taken discreetly and how many of those need to be recorded votes, bearing in mind that some of them have come from recorded votes that were taken on the amendments that inserted those Propositions to start with, and how we are going to deal with that. Because that voting pattern, if there are 24 discreet votes, will take some time, whatever it might be.

2070 So, where Members wanted to vote differently on one particular Proposition then there will always be a discreet vote on that Proposition because we have to respect the ability for people to either record their opposition. If they want to abstain on any Proposition, as Members will be aware, the only way of doing that is by way of a recorded vote.

2075 But we may, if you are minded to do it, adopt the same process as we have done previously, which is to ask people who oppose and people who want to abstain to stand in their places and we read out their names with everyone else who is present at the time but it does sort of depend on everyone being present or marking off those that we know are absent for the vote in particular to be able to deal with it that way.

2080 So it is going to be a case of do you want to crack on with the Accounts? Do you want to defer the Accounts and do some of the Ordinary Meeting business? So, for example, one could, in addition to the Schedule for Future States' Business, do the Statements, so that there would be two Statements out of the way and questions thereon, bearing in mind that one of them is the Transport Licensing Authority, where there might be no need to ask any questions. And then defer all the other business.

2090 It is about what you have got to think about for 13th July because all of the business that gets deferred from either of these Meetings, will of course be front-loaded from the other business in the 13th July Meeting after Statements and Question Time. So I just ask those Members who are reminded to, to reflect on that and then, when we come back at some point, we will work out where we are going.

2095 Deputy Burford.

**Deputy Burford:** Sir, it might be helpful to know how many people are left to speak on this current item.

2100 **The Bailiff:** Well there are a handful of Members who have not yet spoken who would be eligible to speak. They include Deputy Fairclough, Deputy Taylor, Deputy Haskins, Deputy Leadbeater,

Deputy Helyar. I think that might be it. That is the sort of number who have not spoken who are on my list at the moment. It does not say, I have got this list, but that is the list of those who have spoken so that they do not speak twice. I think everyone else has now spoken in general debate and Deputy Soulsby, as the Vice-President, will have the opportunity to reply to the debate.

**A Member:** Sir, just to add the Alderney Representatives are ...

**The Bailiff:** And the Alderney Representatives, of course. I do apologise, yes. And the two Alderney Representatives. I think most people now that neither of you have spoken. So there could be another half dozen speeches if everyone were to speak. It might be fewer than that if any Member chooses not to speak. But some people are expecting at least two of them to have their say.

So we will adjourn now until two o'clock. We will conclude this item when we come back and then we will work out what you want to do. Two o'clock.

*The Assembly adjourned at 12.53 p.m.  
and resumed at 2.03 p.m.*

## **POLICY & RESOURCES COMMITTEE**

### **Government Work Plan 2022 – Debate concluded – Propositions 1-13A, 14B and 15-18 carried**

**The Bailiff:** Who wishes, who is left to speak, if at all?  
Deputy Fairclough.

**Deputy Fairclough:** Thank you, sir.

I will not be long, I can assure Members of that. Like others, I thank Deputy Soulsby and all those involved in the development of this Government Work Plan. As I alluded to in an earlier speech, the GWP continues to evolve and improve, although one small thing, I would urge the use of page numbers in future versions, just to help us all find our way around it!

I will be supporting all the Propositions, as amended. Of course, I cannot support both 14A and 14B. We have been presented with a binary choice between two completely unrelated subjects and for all the reasons mentioned, I think, that is unfortunate. So my second plea, ahead of this process next year, is to avoid such an approach in future. I do not think it particularly has helped in this debate.

I understand the reasons for it but I think that it takes us off at a bit of a tangent when there are so many other key issues that we need to be considering. I know that we have picked up some of those with some of the amendments on the very important area of housing.

There have been some excellent speeches, including that from my friend, Deputy Brouard, who nearly convinced me to vote for 14A rather than 14B. I say nearly, as I was following all of his logic about the workload on the Public Health team because that is all this is about, resource prioritisation, until he said he did not support the work directed in 14A either. I will be voting for a review of the legal status of cannabis and 14B.

Thank you, sir.

**The Bailiff:** Well, if no other Member is rising ... It is almost like a game of dare now, isn't it? (Laughter) Who wants to be the last?

So Deputy Haskins, you are not going to be the last, I imagine.

**Deputy Haskins:** Thank you, sir.

2145 I am generally supportive of the entire GWP and the priorities assigned. I do look forward to the next iteration with the change of process but I think, generally speaking, we have the priorities right. So I shall not speak more on them as I will vote for all of them. The only one, and I do not think it will come as a surprise, that I will comment on is Proposition 14.

2150 I do not understand. I really do not. Why is there so much debate on Proposition 14? The question we should be asking ourselves is which of these Propositions do we do first? So I disagree with Deputy Brouard. This is not about whether to stop cannabis being decriminalised or legalised and, as Deputy Ferbrache remarked, this will come either way, in whichever form.

2155 Deputy Brouard then quite rightly went on to say the choice is whether you prioritise recreational cannabis as a priority over 14A. That is the question. Which one should be done first? Which is a greater priority, given of course we have finite resources? So what is 14A. Well Resolutions 1, 2 and 3 of a policy letter in January – *January!* – 2022, incidentally, the very same Members who seem to be going to vote against this amendment are the very same Members who voted for those Resolutions back in January. (**A Member:** Hear, hear.)

2160 Just to remind Members, 14A is: (1) to amend Public Health Law to confer powers to the Medical Officer of Health and to confer powers in order to deal with coronavirus and other notifiable diseases; (2) to direct HSC to bring proposals in relation to those said powers to be proportionate, necessary and urgent – now there is far more in that section but that is a taste of it; and (3) to direct P&R to give full consideration to two extant Resolutions – one from 2014, which was the new Public Health (Enabling) Law to be drafted and, two, to agree that the Committee *for* Health & Social Care should report back to the States on the legislative changes needed.

2165 So, essentially updating the legislation in order to have the tools to deal with a global pandemic. That is not just COVID, as Deputy Parkinson suggested, it is also for notifiable diseases. Updating our Public Health Law. So, put simply, legislation for future pandemic readiness or legislation, scoping first, for recreational cannabis. Which one do we do first? Which one is more important?

2170 Now I would like to highlight paragraphs 1.25 and 1.26 in the GWP policy letter. So 1.25 says:

The review of the legal status of cannabis in this political term remains an objective of the Committee *for* Health & Social Care, notwithstanding it recognises that this would require detailed consideration of various political, reputational, and commercial aspects and comprehensive engagement with the community.

Paragraph 1.26:

The work to consider a regulatory framework would likely require the additional involvement of the Committee *for* Home Affairs in relation to the Justice Framework; the Policy & Resources Committee will be engaged through its external relations mandate; and the Committee *for* Economic Development in relation to the cannabis industry. Indeed, views would likely also be sought from the Committee *for* Education, Sport & Culture, the third sector, clinical professionals, and the community, to inform any recommendations

2175 Now, as a personal aside, I was very surprised that many of the Members that will seemingly vote for 14B over 14A voted against Deputy Prow's and Deputy Vermeulen's Amendment 9. Very surprised indeed because I assumed that these Members did read that last section, 1.26, on resources in the policy letter.

2180 So back at the question, though, 14A or 14B first? Well, like Deputy Ferbrache, not one person in this Assembly has given any argument as to why recreational cannabis should be done first. Personally, I believe that amending the Public Health Law, giving the readiness in legislation to deal with current and future pandemics, is more important. (**A Member:** Hear, hear.) And I would be surprised if other Members do not too.

Thank you.

2185 **The Bailiff:** Well if no other Member wishes to speak ... Deputy Leadbeater.



**Deputy Leadbeater:** Thank you, sir. If people can just give me a few seconds, please.  
Sir, I would first like to thank Deputy Soulsby and her team for all their hard work in putting this document together –

2190 **Deputy Prow:** Point of order, sir.

**The Bailiff:** Point of order, Deputy Prow.

2195 **Deputy Prow:** Rule 17(15)a, ‘before he or she speaks a Member who has a direct or special interest in the subject matter of a Proposition submitted to a Meeting shall declare that interest.’  
Thank you, sir.

**The Bailiff:** Do you have an interest to declare, Deputy Leadbeater.

2200 **Deputy Leadbeater:** I was just coming to that, sir.

**The Bailiff:** Precisely. So I think the thanks can come first, Deputy Prow, because that is something that a lot of Members have already done before getting onto the substance.  
So, Deputy Leadbeater, please.

2205 **Deputy Leadbeater:** Thank you, sir.

I also wanted to say that I have total respect for Deputy Prow. I have a different view to him on some things and I will attack his views on 14B today but never attack him personally. I regard him as a friend as well as a colleague.

2210 I start by declaring an interest, sir. I sit on a board of a local company operating in the CBD industry. Now I am not going to repeat what I have already said about housing. You were kind enough to give me some latitude during debate on the amendments so my thoughts are already on record. I will talk on Proposition 14B and why Members should support it.

2215 Proposition 14B was put forward for inclusion in the Government Work Plan by the Committee for Health & Social Care; 14A was not prioritised by the Committee. There should be no 14A in these Propositions. There should only be a Proposition 14, which is 14B here. Proposition 14A, a review of the Public Health Law, at this stage, as I said, was not prioritised by the Committee for Health & Social Care and so does not belong in the Propositions, in my view. The binary option of either 14A or 14B was inserted by P&R, not HSC.

2220 There is nobody out there, amongst the electorate, pushing for us to review the Public Health legislation. Nobody. In fact, the last time we debated this, all we had in our inboxes was opposition to the review. But, conversely there are thousands of people from all walks of life, in our community, wanting us to review the legal status of cannabis. Thousands.

2225 The vocal minority that Deputy Prow refers to when this topic is raised is now Deputy Prow, sir. He and his Committee have become the vocal minority, with a handful of others who are also unwilling to listen to and understand the evidence of today. The plethora of peer-reviewed evidence and government statistics from across the globe, which some still choose to ignore, misrepresent or fail to understand the evidence from our Commonwealth cousins in Canada, for example, the kind of evidence that has convinced Germany’s Minister for Health that they need to introduce a regulated, adult-use cannabis regime.

2230 Members should take note, sir, Germany, Europe’s largest economy, has pledged to introduce adult-use cannabis legislation this term. A recent article by *Forbes* covers a study conducted in February and March of this year. That survey tells us that 55% of Europeans favour adult-use cannabis legislation. Across Europe, including the UK, 55% are in favour.

2235 When asked about the benefits of legalisation, most Europeans think that legalisation takes cannabis out of the illicit market, others believe that legalisation will reduce the use of more harmful

drugs, allow Police to focus more on serious crimes, provide better product safety, generate tax revenues and regulate the strength of cannabis.

2240 The Mayor of London Sadiq Khan has announced a commission to examine the effectiveness of UK drug laws, with a particular focus on cannabis and he said in a recent trip to the US the illegal drug trade causes 'huge damage to our society' and we need to do more to tackle this epidemic and further the debate around drug laws:

This is why I am here today in LA to see first-hand the approach they have taken to cannabis.

2245 Lord Falconer, who is a friend to the Channel Islands, who has been appointed chair of the commission, said:

I am honoured to have been appointed chair of the London Drugs Commission. We need rigorously to identify what is the best approach to reduce harm to our communities. A national debate is long overdue. We aim to make recommendations to bring about effective and lasting change.

2250 Sir, to bring about effective and lasting change is exactly what at HSC we want to do. So I ask Members to allow us to go away and do this work, which is after all just high level scoping, not a resource-hungry animal as some are trying as hard as possible to have people believe. Just high level scoping to be undertaken by officers from Public Health.

2255 If Members really want to bring about effective and lasting change, just as Lord Falconer does and we do at HSC, they must support Proposition 14B. There are more than the seven required to sign a requête on this topic that have told me they would. Indeed, many months ago, I met with Deputy Soulsby, the architect of the Government Work Plan that we are debating today, to discuss a potential requête.

2260 I have been in discussions with quite a few Members regarding the potential for a requête on cannabis, which was no secret. The advice then from the Deputy Chief Minister, P&R's lead on the GWP, was that if HSC, by majority, wants to progress this work, which we do, then rather than a requête, the best way to do it was through the Government Work Plan, which is why it has been included by the Committee.

2265 The advice from the architect of the Plan was that this was where this piece of work belonged. Sir, we have been corporate players and submitted this workstream in the GWP to keep things nice and tidy. Now, according to Home Affairs, this workstream is an abuse of the Government Work Plan ... including this workstream, is an abuse of the Government Work Plan process. But how can that be, sir, when its inclusion was based upon the advice from the lead of the Plan, the architect of the Plan? This is not trying to shoehorn a workstream in on the blindside, sir, it is completely the opposite, so that myth is dispelled.

2270 It is plainly obvious that there are a few Members that simply do not want to have this debate and do anything within their power to try and stop it happening. I would like to ask those Members why they are refusing to talk about this subject. We are politicians and we should not be afraid to debate the topics that we are being asked to debate, regardless of whether or not we have strong-held views on something.

2275 The only reasonable motive for those not wanting to have this debate is maybe they feel their strong-held views are no longer relevant and/or current evidence will render their arguments invalid. I can see no other reason.

2280 Now let's look at what Members have to say about cannabis use during the election campaign, when each candidate was asked by one of the lobby groups. The answers are all in the public domain and can be found online. I will go through them now, sir, so I can remind Members of what they said about what 14B seeks to achieve when they were looking for votes. We were all asked the question: if elected, would you consider legalising cannabis for adult use?

Deputy Gabriel, unfortunately he is not here today, sir:

I do not have enough information to make an informed decision.

Well, if he was here, sir, he would probably be in favour of 14B so he could get the information he needs. Deputy Matthews said:

2285

Yes I support Canadian-style regulation of legal cannabis.

My colleague on HSC, a very sensible man, sir, and someone who understands. He has done his research. My good friend Deputy Cameron said:

Decriminalisation of cannabis, a contentious issue, I know, but giving someone a criminal record for possession of a personal amount of cannabis can have massive consequences on future travel and career opportunities.

2290

A point very well made, sir. He made more during a brilliant speech yesterday. Deputy Murray said:

Consider recreational use of cannabis subject to suitable regulation and THC limits as per Canada system.

Again, someone who has done their homework, so he will be voting for 14B, surely? Deputy Meerveld said:

I definitely favour decriminalisation and I am inclined towards legalisation for personal use but want to see the policy letter and other evidence before committing to full legalisation.

2295

Another who wants to see the evidence, sir. He knows this debate is long overdue. Deputy Parkinson replied:

I would legalise and regulate the supply and consumption of cannabis.

2300

As the seconder to my amendment, sir, for the Justice Review, that helped bring us here, I am sure I have no need to remind Deputy Parkinson of his position. Deputy Blin, he had a great speech from earlier on, said:

I believe there should be an investigation along the lines of the Canadian model.

Another citing our Commonwealth cousins and their sensible approach. So by supporting 14B, he will kick off the investigation he needs. I will give way to Deputy Inder.

2305

**Deputy Inder:** Thank you very much, Deputy Leadbeater.

2310

I am sorry to pick up on something I thought I heard very earlier on in your speech, I have just come into the Assembly. On the radio I think I heard that 14A and 14B is not the required Proposition of the Health & Social Care. I think I heard you say that 14A was put in by Policy & Resources and I wonder, when you get towards the end of the speech, if you could ask Policy & Resources whether they could clarify that and explain how 14A got into the Propositions, if indeed it was not at the behest of the Committee.

**Deputy Leadbeater:** I thank Deputy Inder and I will try and remember to do that when I get to the end of my speech.

2315

Deputy St Pier:

Yes, I see it as a Public Health issue not as a criminal justice one. I would regulate it to ensure quality and tax it, just like we do with two other drugs, tobacco and alcohol.

2320

Nail on the head, sir. Nail on the head. We would not let the black market control and regulate the sale of tobacco and alcohol, would we? So why continue this madness with cannabis? Deputy Soulsby said:

I obviously support decriminalisation of cannabis for personal use. I really welcome the debate next term when HSC bring the Substance Use Strategy to the States. It should have happened in June but because of the COVID crisis and the fact the same staff who are involved tackling that are also those involved in the strategy this did not happen.

She supports having the debate, sir. She is not afraid to debate the difficult stuff. Deputy Gollop:

Yes, I would be positively investigating supporting and looking at phasing decriminalisation of cannabis for adult use.

Another whose position has remained the same, sir. Deputy Le Tocq, unfortunately, cannot be here today:

2325

I would support moves towards regulation and decriminalisation of cannabis for personal use in small quantities. However, I believe it still should remain illegal to procure, sell and misuse in specific circumstances, as with other drugs.

Deputy Le Tocq brought the first amendment to the Justice Review, sir, seeking to decriminalise adult cannabis use. He has been a supporter of change for some time.

2330 Now Deputy McKenna, this is an interesting one. We know he can be inclined to change his mind, sir. He was elected as an independent, joins the Guernsey Party, leaves the Guernsey Party, but I am a tad confused that he starts on cannabis now. Because apparently, now Deputy McKenna sits on Home Affairs, he does not support HSC reviewing the legal status of cannabis. We heard him in debate yesterday telling us how bad cannabis is.

**Deputy McKenna:** Point of correction, sir.

2335

**The Bailiff:** Point of correction, Deputy McKenna.

2340 **Deputy McKenna:** Monsieur Le Bailli, I think you will have heard me yesterday in debate saying that I believed that medicinal cannabis has great benefits to medicine. In my manifesto, Deputy Leadbeater, I also said that medicinal cannabis and CBD products have great benefit to medicine. Yes, it is there. So I think that is totally misleading, Monsieur Le Bailli.

**The Bailiff:** Deputy Leadbeater to continue, please.

2345 **Deputy Leadbeater:** Thank you, sir.

He does not support HSC reviewing the legal status of cannabis. We heard from him in debate yesterday. When, before he was elected, during the election campaign, when he was looking for votes, he said this:

Medicinal cannabis and CBD should be legal.

2350 Well, there you are. He also said:

Decriminalise cannabis use by introducing age restriction and legislation.

That is what he said during the election campaign when he was asking for votes. Now, bearing all this in mind, it would be fair to say that Deputy McKenna's political career so far has seen more flip-flops than the back of a circus van. More flip-flops than a sunny afternoon on Shell Beach, sir.

2355

**Deputy McKenna:** Point of correction, point of order, Monsieur Le Bailli.

**The Bailiff:** Which one is it, Deputy McKenna.

2360 **Deputy McKenna:** We will go with point of correction.

**The Bailiff:** Point of correction, Deputy McKenna.

2365 **Deputy McKenna:** I thought we were supposed to be taking personal digs out of it because if that is where we are going, will Deputy Leadbeater guarantee that all the Guernsey growers who are owed over £300,000 are going to be paid, several who are my friends who produce crops –

2370 **The Bailiff:** Deputy McKenna, a point of correction is not an opportunity to say something further in debate. You can correct an inaccurate or misleading statement. All Deputy Leadbeater appears to be doing at the moment is reminding Members of what was in everyone's manifesto. Whether that is really necessary in the context of those Members who have already spoken who have given their views in this debate and how they might be minded to vote and how they might keep an open mind until they have heard everything, then that is a question of relevance, Deputy Leadbeater.

2375 This is not really an opportunity to remind people of what they put in their manifestos, this is an opportunity to try and persuade people to vote against Proposition 14 A so that Proposition 14B gets put.

Please continue.

2380 **Deputy Leadbeater:** Thank you, sir.  
Okay. I am not sure if he will be true to his words during the election campaign but if he is he will be supporting 14B and, if not, he will have to justify his U-turn to those members of the public who voted for him.

Deputy de Sausmarez said:

There is a strong case for decriminalising the use of cannabis. The case for legalisation should look at evidence from the various different models around the world and take into account social and health considerations as well as economic considerations.

2385 A very sensible response, sir. Exactly what one would expect from someone so forensic in their research. Now I have taken your point on board, sir, and I am not going to go through the rest of them. It is here. My speech will be published, so if anyone wants to remind themselves of what they said, and it might contrast with their decision they make in this Assembly today, sir.

2390 But I will pick up on Deputy Ferbrache. Deputy Ferbrache, our Chief Minister, said:

I certainly would not prosecute people for possession of small amounts. The wider issue of whether you legalise cannabis needs very careful thought. This is not a kick it down the road answer. We need to look at the wider consequences of legalising it.

Again, I fully agree with the sensible comments. But let us hone in on his important last sentence.

We need to look at the wider consequences of legalising it.

2395 Which is what 14B is asking. At HSC, we agree. We need to look at it and fully understand what it will mean for Guernsey. So my message to Deputy Ferbrache is support us in doing this high level scoping so he can begin to fully understand the wider consequences, just as he wishes.

I will go onto Deputy Prow, actually, now, sir, because I kind of go off on one during what he says. Deputy Prow said:

I notice that public lobby groups campaigning to make recreational cannabis legal. Cannabis is a Class B drug. Guernsey is a signatory to the Narcotic and Drug Trafficking International Conventions. I am guided by the information contained on the NHS and UK addiction centre websites about the harms caused by recreational cannabis use. Guernsey has already rightly legislated for medicinal cannabis use and again I am guided by the NICE guidelines on its effectiveness rather than the postings of some lobby groups. I will consider some sort of arrest referral scheme, which could identify people who need treatment and/or other interventions when found in possession of small amounts of Class B drugs, which could divert them away from the criminal justice system.

2400 Now, he is right about there being a public lobby group. I think there is more than one. These are made up of people in their thousands, sir, and not just a handful of hippies as some like to make

out. I am not a member of, or at all associated with, any of the public lobby groups. But as a Deputy, I do listen to them and I do not scoff at them or dismiss them as unimportant, because they are not. They are parents, business people, teachers, taxpayers, voters, even front line Law Enforcement officers, sir, and they have had enough of prohibition and the harm it causes.

2405 Members have seen the emails that we have received in support of a review of the legal status of cannabis. They have come from ordinary members of our community. Some of them are in prominent positions. A real diverse range of people have taken the time to let us know their thoughts and from what I am hearing in public they are completely representative of the majority of the wider community.

2410 Sir, Deputy Prow also says he is guided by the information contained on the NHS and UK addiction centre websites, so I thought I would have a look. I was pleasantly surprised to find some great advice on the NHS site in the Healthy Living Common Drug Use cannabis section, it states under How to Reduce Harm heading:

Start low. Go slow as potency can be hugely variable.

2415 It is talking of illicit cannabis, which is circulating within our community on a daily basis, where potency is currently unregulated. It continues:

Start with a very small dose and if using more increase dose cautiously. Give time for previous doses to wear off. About 30 minutes.

Then, under their Using Cannabis More Safely Heading, it states:

If you are smoking consider using a vaporiser so you can remove the tobacco. This will reduce the risk of lung damage.

2420 All sound advice, sir. And there is plenty more in there too. The NHS are now advising those that use cannabis to use it neat in a dry herb vaporiser rather than mixing it with harmful tobacco, which can cause severe lung damage or even death. That is the tobacco, not the cannabis.

The NHS web page Deputy Prow refers to is four years old. The NHS one I referred to was created in April this year. Two months ago. We have to wake up, sir. Even the websites that Deputy Prow hangs his argument on have moved on and are providing sound advice to cannabis users, namely stay away from cancerous tobacco and use cannabis responsibly. That message from the NHS should be being reinforced by our Government. I am not going to give way to Deputy Prow.

2425 I also searched for the UK addiction centre that Deputy Prow referred to, sir. There is no one UK addiction centre, there are many private addiction centres posited around the UK so maybe he has found one of their sites.

2430 Now I just want to touch on the Home Affairs report. I know it was appended to Amendment 10 but it has been touted as fact by Deputy Taylor in this Assembly. I do not know if it was today or yesterday when he spoke. That report, if we look at that report, it was touted as evidence against 14B. I asked Deputy Taylor who the author was and –

2435 **Deputy Taylor:** Minor point of correction, sir.

**The Bailiff:** Point of correction Deputy Taylor.

2440 **Deputy Taylor:** I did not say it was fact. I am not disputing whether it is fact or not. But I dispute the fact that it was my opinion being put in that. It was information being compiled by officers.

**The Bailiff:** Deputy Leadbeater, that is what Deputy Taylor said, I recall.

2445 **Deputy Leadbeater:** Okay. I thought Deputy Taylor said in his speech that the report was a collection of facts put together by officers and that is what I was referring to.

Okay, sir, I have confirmation that there have been several contributors to that report. Well, they are several people who all have the same bias against cannabis because that is the worst report I have read. In fact, the report and Deputy Prow's letter in the *Guernsey Press* on Monday are virtually identical, so I will read out some of the replies sent to the media in response to Deputy Prow's letter. I will not read it all. Some of the points I have covered already.

Firstly, he starts out by accusing the Committee *for* Health & Social Care of bringing in a Proposition which 'unashamedly seeks to make the recreational use of cannabis, a Class A drug and in some cases tetrahydrocannabinol, a Class A drug, a legitimate reality'.

Cannabis is currently a Class B drug in Guernsey and by majority the Members of HSC believe that it should not be treated in that way. We should not treat it in the same way as other harmful addictive drugs, which cause a deal of harm to our society. Based upon evidence from around the world we are convinced that cannabis should be controlled and regulated by a government and not just left to the black market to do as it wishes.

HSC do not want to legalise drugs, decriminalise drugs, as Deputy Prow wrongly suggests. We want to take control of the large, illegal cannabis black market and regulate it safely and responsibly. By Home Affairs' own admission in their report there is a large, thriving cannabis black market in Guernsey but they seem to be content for that to continue. But at HSC we are not. The black market does not place age restrictions on its wares. The black market targets the more vulnerable in our society. The black market also offers a host of other drugs, as well as cannabis, like the highly addictive life-taking kind that they find easily to smuggle along with their poor quality, often mixed with rubber and plastic, cannabis resin. In our view this is just not acceptable.

Deputy Prow's letter moves onto the harms that could be caused by regular sustained cannabis use and he lists them in six bullet points. Now I do not think that anybody is trying to say that everyone should use cannabis every day and it will all be fine. At HSC we are certainly not. But we accept that thousands in our community use cannabis regularly, so as a Health Committee we would prefer them to do it safely and responsibly.

Firstly here we need to understand the difference between cannabis and the other drugs that are most prevalent in our society. The drugs that cause harm to people and families in the Bailiwick are mainly often diverted prescription drugs: diazepam, temazepam, gabapentin, tramadol, morphine, fentanyl, etc. Virtually all the deaths that Guernsey has seen due to drugs have come from fatal overdoses of prescription drugs. There is no such thing as a fatal cannabis overdose.

**Deputy Vermeulen:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Vermeulen.

**Deputy Vermeulen:** I am talking with a former Guernsey Bailiwick Law Enforcement officer. He assures me that every drug case he has been involved in and looked into started off with cannabis.

**The Bailiff:** But that is not an inaccurate or misleading statement that Deputy Leadbeater was making, Deputy Vermeulen, on the basis that he was referring to deaths from consuming drugs. So that was an inaccurate – you cannot come back on it Deputy Vermeulen – that was an inappropriate point of correction.

Deputy Leadbeater to continue.

**Deputy Leadbeater:** Thank you, sir.

There is no such thing as a fatal cannabis overdose. No such thing. Fentanyl has caused by far the most deaths over the last 20 years but I do not see the Committee *for* Home Affairs, on the front page of the *Guernsey Press*, shouting about how concerned they are when another poor soul is taken from their loved ones. But a cannabis sweet bought locally has slightly too much of one cannabinoid and they are swinging from the rafters.

Let us consider what I just said a few seconds ago. There is no such thing as a fatal cannabis overdose.

**Deputy Taylor:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Taylor.

**Deputy Taylor:** No one at Home Affairs has swung off any rafters. There was a simple media release published and people were given the opportunity to surrender the gummies they had bought accidentally but illegally.

**The Bailiff:** Members, before I ask Deputy Leadbeater to resume, it is quite clear, given the views that are likely to be expressed here, given the declaration of interest at the outset, that we know that Deputy Leadbeater is going to try and persuade Members to vote against Proposition 14A and vote in favour of Proposition 14B. It is going to take some time for him to deliver his speech. He is entitled to the same level of respect as any other Member in giving the views that he wants to portray in this Assembly. (**Several Members:** Hear, hear.) It will take time if there are multiple points of correction, particularly from any Member who has not yet spoken and has the opportunity to deal with that when they speak if they choose to speak.

These are Deputy Leadbeater's views. He is portraying them as such and therefore the points of correction, can we try and minimise those to let him get on with his speech?

Deputy Leadbeater to continue, please.

**Deputy Leadbeater:** Thank you, sir.

Let's just consider, again, what I said a few seconds ago. There is no such thing as a fatal cannabis overdose. If the Committee for Home Affairs think that cannabis is so bad and, by their own admission, it is easily obtainable in the Bailiwick, then why on earth do they not want it to be regulated and controlled? There is absolutely no sense in that argument whatsoever.

Deputy Prow's letter goes on to talk about how changing the legal status of cannabis will increase its availability to children and young people but that is completely opposite to what the evidence tells us. Remember what I said about the black market dealers not caring who they sell their wares to?

Evidence from Canada and the USA tells us that countries and states where they have introduced adult cannabis regimes, youth consumption is reduced by about 50%. In cannabis it went from 20% to 10% in 15-17-year-olds from 2018 to 2019, in the first national cannabis survey.

He then talks of HSC trying to shoehorn this work on the blindside but I have already explained how it was included with the blessing of P&R's lead on the GWP, so I will move on. Then he moves on to penalties received in Guernsey for possession of personal amounts of cannabis and informs us that these days few people receive prison sentences for possession and, because of this, our sentencing arrangements are just fine and dandy.

Well, I have yet to meet many to agree with that. Everybody processed by the Police or Border Agency for cannabis possession, no matter how small an amount, will receive a criminal conviction, even if not sent to prison. That criminal conviction, even once considered spent, will remain on that person's record for the remainder of their life and limit their employment and travel opportunities. The Committee for Home Affairs may think that this is acceptable but HSC do not.

Deputy Prow's next sensationalised statement tells us this could be the start of a process of enabling Guernsey to become the 'Amsterdam of the British Isles, it would pioneer the culture of open recreational drug use, drug tourism and cannabis cafes'. Firstly, there is nothing recreational about cannabis use. Tennis is recreational or walking or cycling. I wish people would not use that term.

Deputy Prow needs to take a look at places like Canada and Colorado. He will not find cannabis cafes or open recreational drug use as he suggests. They are seeing exceptional benefits since



2550 introducing their regimes. They have not experienced the kind of negatives that some would have  
you believe and there is plenty of evidence to back that up. Colorado used its cannabis taxes wisely.  
In 2017, \$3.1 million went into opioid intervention, \$16 million into affordable housing and  
2555 \$19 million into capital investment. In 2018, \$20 million went to grants for school, health  
professionals and early literacy programmes, \$10 million was used to fund after school programmes  
and \$9 million towards affordable housing.

Now, sir, of March of this year, \$538.7 million of the total revenue generated from cannabis taxes  
has been dedicated to improving Colorado's state school provision. The poor things have suffered  
so bad!

2560 Deputy Prow continues by making a meal out of how Guernsey would be perceived  
internationally if we were to scope this work. He says:

The legalisation or even decriminalisation ...

– and Deputy Matthews is spot on, decriminalisation is off the cards at HSC, that causes problems,  
that would make us a spotlight for the drug laws that Deputy McKenna talks of, if we decriminalise,  
not if we regulate –

2565

... also flies in the face of UK Government policy ...

– and he warns that any such moves would harm our status as an international finance centre. First  
of all, HSC do not want to decriminalise any drugs, as being suggested. As I have just said, we want  
to control and regulate the large amount of cannabis that is already circulating within our  
community. Malta has just introduced adult use legislation. Germany, Europe's largest economy,  
2570 has put a budget aside for 10 extra officers to expedite its adult use cannabis legislation this term.

Their Minister for Health, Karl Lauterbach – if that is correct – speaking to the German newspaper  
*Handelsblatt* explained he has changed his mind on the topic of legal cannabis and that he believes  
the risks of continuing prohibition far outweigh the risks of legalisation. He said:

I have always been opposed to cannabis legalisation but I revised my position about a year ago.

2575 Isn't it refreshing to see such a senior politician change their long-held views when presented  
with the evidence to do so? I wonder if we will see that in Guernsey.

Germany's Minister for Justice, Marco Buschmann, has initiated technical preparations for the  
policy change in partnership with the Ministry for Health. Across Europe, countries are catching up  
with the US and Canada. Luxembourg has announced that it will introduce adult cannabis use  
2580 legislation and it will be available for sale in dispensaries in Zurich later this year. We have air links  
with Zurich and both these jurisdictions are international finance centres. So it just dispels the myth  
again.

Deputy Prow's letter then tells us:

It is suggested that legalising the recreational use of cannabis would enlarge the drugs market, opening up this activity  
to a wider audience.

2585 Again, all evidence shows us, in jurisdictions that have introduced adult use legislation, the  
complete opposite has happened. Drug crime is reduced and alcohol and tobacco use fall in those  
jurisdictions too. So it was completely misleading.

I am unsure if everyone understands why Guernsey has become such a target for overseas drug  
gangs to smuggle cannabis to. So I will touch on that now. In the Bailiwick, we have very secure  
2590 borders, with tough laws on smuggling cannabis and also tough penalties for dealing and  
possession. These factors together, combining the fact that we are an affluent society mean that we  
have exceptionally high street prices compared to neighbouring jurisdictions. Some of the highest  
in the world.

2595 The reason that overseas gangs target the Bailiwick are purely financial. If Guernsey were to introduce an adult use regime similar to that in Canada, the over-the-counter price of cannabis would be on average £5 per gramme for a good quality product. The street price in Guernsey, currently is around £35-£45 a gramme. I have been told it is trading for up to £75 a gramme, for a poor quality product. The street price in the UK and neighbouring jurisdictions is about £10 a gramme, to put things into context.

2600 So taking this into consideration, why would overseas drug gangs continue to target Guernsey with their cannabis when they could get a higher price for it where they live without the massive risks involved in smuggling to the Bailiwick? Deputy McKenna's argument about drug laws, I have got it in the *Guernsey Press*, I do not know where it is. Drug lords targeting the Island if we legalise cannabis. But that is absolute nonsense. Drug lords are targeting the Island now. They are and they are putting their dirty cannabis on our Island now and other drugs too.

2605 We need to stop that and we can only stop that by regulation. It is hardly rocket science. That illegal market would fall away overnight with the introduction of an adult use regime. It is as simple as that. As I said, they also smuggle more harmful drugs along with their cannabis. So taking control of that market will cut off the supply chain too.

2610 Deputy Prow suggests that smugglers would simply move to other substances but again that is not justified. Luckily enough in Guernsey there is not a massive demand for drugs such as heroin and our Border Agency do a very good job of keeping our streets clean of this type of drug.

2615 The overseas gangs would simply look for another jurisdiction with high prices to sell to. Most probably Jersey, where the street prices are higher than the UK but lower than Guernsey. The next part of the letter talks of a lengthy public review but again this letter is wildly misleading. All HSC are asking to do is let us scope this work. Not a lengthy review. It will not consume massive amounts of officer time as some wrongly suggest. As has been pointed out by the Vice-President of HSC, we have been assured by Public Health that they will have the resources available for this scoping exercise in quarter one of 2023.

2620 Deputy Prow and the supporters of prohibition continue to mislead the public by claiming that this scoping exercise will be costly and resource intensive but, as I have just outlined, that again is not true.

Now the last part of his letter lost me a bit because he talks of comparisons with drug deaths between Guernsey and the UK and he deduces:

2625 ... it must mean that the drug strategies employed locally over the previous decade have had largely a positive impact when considering the community as a whole, which must be the focus of Government.

Over the last couple of decades, how many deaths have we seen from prescription drugs? Far too many. So to try and say that our drug lords have had a largely positive impact, again, is not what the evidence tells us.

So I conclude on that ... It appears that Deputy –

2630 **Deputy Prow:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Prow.

2635 **Deputy Prow:** In the remarks that Deputy Leadbeater is quoting, I quoted the Professor Harry Sumnall Report and my comments are quite clear, which it states that drug deaths in Guernsey and associated problems are less than those in comparable European countries. I think Deputy Leadbeater is misleading the Assembly in what he just said. Thank you, sir.

2640 **The Bailiff:** Deputy Leadbeater to continue, please

**Deputy Leadbeater:** Thank you, sir.

2645 So, it appears that Deputy Prow and his Committee will try any trick in the book to try and avoid the States of Deliberation ever having a well-reasoned, evidence-based debate on the merits or otherwise of adult use cannabis legislation. But one thing they do not have up their sleeve is any evidence to back that up. I find it alarming that such a poor, unevidenced, biased report was appended to an amendment in an important piece of work for the GWP, but luckily enough it was pulled.

2650 There are many really informative studies on cannabis out there, sir, but the Home Affairs report is certainly not one of them. Yesterday I read a recent study by the United Nations on the topic of cannabis legislation and it talks of the aspirations and principles of the adult use cannabis regimes and tells us:

A combination of drivers, public policy concerns and ambitions have led to countries and state level jurisdictions in Canada, United States and Uruguay legalising the entire cannabis supply chain and adopting measures allowing the production and sale of cannabis for non-medical use by commercial and for-profit entities. Those aspirations should include permitting non-medical use among adults, whilst preventing its use among adolescents.

Yes.

2655 Addressing criminal justice responses being treated for the possession of cannabis for personal use as a criminal offence has led to many people being arrested and acquiring a criminal record, with ethnic minorities being disproportionately affected by such policies in countries such as the United States.

Yes.

Establishing a regulated market to ensure product quality and prevent the use of hazardous contaminants in production.

Yes.

2660 Preventing organised crime groups from generating profits from the illicit trade in cannabis, reducing law enforcement costs, especially the policing of possession for personal use of cannabis, thus freeing up resources to address more serious crimes. For governments and authorities themselves to generate revenue from the cultivation, production and sale of cannabis, depriving organised crime groups of income and investing part of the revenue in the prevention of substance use and treatment of drug use disorders, thus protecting public health and safety.

This is from the United Nations. It is all sensible stuff, which is exactly what Colorado has done. Investing in cannabis taxes and addressing the real drug problem that society faces, opioid addiction. Last time I checked, we had 144 people in Guernsey on opioid replacement therapy – 144 opioid addicts in Guernsey. It is crazy.

2665 As I said before, we do not have a problem with heroin in the Bailiwick, like they do in the UK. People become addicted to opioids in Guernsey via diverted prescription medication. We should take a leaf out of Colorado's book. They recognise the harm that opioids cause societies, they use millions generated from cannabis tax to help address that harm. We have to take note of those human aspirations as principles, alluded to before, and in my view those principles should be incorporated into the framework for any future resume that we might consider for the Bailiwick.

2670 As of 2019, the last time the survey was done, 11% of our population said they had used cannabis during the previous 12 months, and that is not an insignificant number. I would hazard a guess that that number is actually higher because the UN study also tells us that the legal status of a substance affects people's willingness to self-report such behaviour.

2675 In addition there can be challenges in capturing or measuring the use of the wide range of cannabis products that have been introduced in the market, such as edibles, concentrates and vaping. The usual survey question of 'have you used cannabis?' may be interpreted by some respondents in a narrow sense, that is that it refers only to smoking cannabis herb.

So according to the UN, there are probably more people in our society who are already benefiting from using cannabis than we currently believe, be it CBD tinctures, creams, these

products are widespread in the Bailiwick, you can buy them from service stations. We already have a cannabis market in Guernsey. Products containing cannabis, so long as the cannabinoid ratios fall within that allowed in our legislation are readily available in the Bailiwick, as Deputy Blin pointed out and gave us an illustration of one that he bought this morning.

One really important part of our current legislation that is missing, though, is age restriction. There is nothing in our legislation that prevents the sale of CBD products with an element of THC, to anyone based on their age. Luckily enough, those operating globally supplying cannabis products in the Bailiwick themselves enforce an over-18 policy in their stores and on their websites. This is the industry doing the regulation, not Government. Government leaves the regulation of the black market to criminal gangs and the legal market is also left to regulate itself in terms of who it will sell to.

Let's not continue this madness and properly regulate it across the board. Those who keep saying, 'It is too risky, it will be too complicated' – nonsense! How come it is too hard but not for other jurisdictions. If our forefathers had that attitude we would still have to swim to Castle Cornet. Have some Members no vision, we would not have to worry about fixing the Havelet slip because we would not have a Havelet wall or a Castle Emplacement without the boldness of our forefathers.

Let's let Jersey or the UK go first and we can follow, some are saying. Well, I am not a follower sir. I signed up for Government to be a leader. There is no place for sheep in Government. I could go on and on, sir, but all the evidence is for Members to see. Some may choose not to take any notice or may have changed their minds now they are not looking for votes, and that is unfortunate.

Deputy Helyar told us when he spoke on his amendment, Amendment 14, that all he was asking for was a report. That is it. Just wanted a report and if the report comes back with no supporting evidence to back that up then he would accept that. There is no real difference here. We just want to do some scoping. If the scoping turns around and says it is not worth continuing, then we do not continue it. But this is a health issue and it should be owned and taken forward by HSC.

Now we heard quite a bit from Deputy McKenna and Deputy Aldwell yesterday when they spoke about psychosis and Deputy McKenna sharing a heart-breaking story and Deputy Aldwell speaking of a psychosis timebomb, I think she said. But I have not heard anyone in any speech saying that cannabis is totally harmless.

But we need to put things in perspective. There are thousands of people in the Bailiwick using cannabis on a daily basis, literally thousands. So where are all the hundreds in Guernsey with cannabis-induced psychosis. Or, if we are to believe Deputy Aldwell, there must be thousands with psychosis from cannabis. I do not see that.

The one thing I agree with them on, though, is that cannabis is not completely harmless and can cause harm in the wrong hands. But they are to continue to let the black market sell to whoever they like rather than control who uses cannabis and what cannabis they use, like a sensible Government would do.

Deputy McKenna warned us yesterday about high strength skunk. Completely wrong terminology but that matters not. But if he is concerned about the strength of cannabis circulating in the Bailiwick why on earth does he not want Government to regulate that strength? If anyone has a valid reason why it is better continued to let the black market grow and target whoever they like, instead of taking control, I will give way now.

There is no valid reason to let the black market continue to grow and target vulnerable people, because that is what is happening on a daily basis. These thousands of people in our community they are having to go to street dealers, to criminals. These people are not criminals. It was pointed out these people that want access to cannabis are regular people. We are forcing them into the hands of criminals. It is utter madness.

We have had much talk of cannabis users being diverted into programmes, treatments and interventions instead of going through the criminal justice system, but how dare people label cannabis users as needing help with addiction. Is everyone that has a glass of wine with a meal or a pint at the weekend an alcoholic? No.

2730 The problem is we have many in this Assembly that have no knowledge of cannabis. We are asking let us scope this work. What HSC would be doing, the officer will be contacting Home Affairs, we will contact Economic Development, HSC, P&R and be asking their officers what are the questions that you have on the scoping? What are the questions that you want answering? We are not asking them to answer questions for us. It is the other way around. You ask the questions that you want. Reputational damage questions, etc. Bring them on because a proper scoping exercise will have to look at all of this but this is what we are asking to do.

2735 We are not saying legalise cannabis tomorrow. We are not. And we are certainly not looking at decriminalising anything. Looking at the Propositions, I mean 14B is the only that has potential to generate any revenue for the Treasury! Many have mentioned finances so this should not be ignored. Remember how much Colorado has done with its cannabis taxes.

2740 As Deputy Matthews pointed out, in excess of £4 million, probably more like £6 million, is going off-Island annually already for medicinal cannabis. God knows how much is going off-Island for illegal cannabis. God knows. Because the price of illegal cannabis is three times that of medicinal cannabis in Guernsey. Three times. And there is far more of that circulating in the Island than there is medicinal cannabis. So £6 million on legal cannabis leaving the Island, you are looking at at least 2745 10. These are real numbers.

Some people might be looking at me and thinking, 'He has gone mad.' But this is true. These are the numbers. Deputy Vermeulen thinks I have gone mad but I am quoting evidence and statistics. These are proper figures. These are the figures being spent. Deputy Meerveld sits on the Committee for Economic Development, he should be taking notice of this.

2750 Many have also said the fact that we have medicinal cannabis in Guernsey, they support. They really support that. But in reality, virtually anyone with a bad back and money can access cannabis in Guernsey now. If you have not got money, you cannot access cannabis. But if you have there is a legal pathway for you. It is as simple as that. This flies in the face of the principles of the Partnership of Purpose, that health provision should be equal for all. There is no equality there, is there?

2755 The only difference between medical cannabis and illegal cannabis is the conditions it is grown under. It is the same thing. It is a cannabis flower. Deputy Bury pointed out yesterday that we are not going to bombard Home Affairs and Economic etc. As I have just said, we are just going to ask some questions. Deputy Blin, I have got to say his speech was brilliant. He has given this proper thought. He has understood that decriminalisation would be bad and regulation is the way forward.

2760 Deputy Vermeulen was laughing. He is laughing again now. He was laughing when Deputy Blin was delivering his speech. But Deputy Blin set out his logical reasons for coming to that conclusion. I think Deputy Vermeulen should listen to Deputy Blin. Someone has done their research. Someone is talking sense.

2765 **Deputy Vermeulen:** Point of order, sir.

**The Bailiff:** Point of order, which particular Rule are you saying Deputy Leadbeater has just broken, Deputy Vermeulen?

2770 **Deputy Vermeulen:** I think it is misleading, sir. I listened to Deputy Blin and he told me yesterday that 17 and 33 equalled 40. I cannot agree with that, sir.

2775 **The Bailiff:** A point of order is about a breach of a Rule of Procedure. A point of correction is an inaccurate or misleading statement. You might disagree with what Deputy Leadbeater is saying. That will become apparent when we get to vote on the Propositions. But, Deputy Leadbeater, are you coming to a close?

**Deputy Leadbeater:** I would have finished a lot earlier sir, if I had not been interrupted so many times!

2780 Deputy Mahoney and many others say why should this be a priority now. Well, how come it is a priority now for Germany? How come it is a priority now for Switzerland, Malta, Greece, Thailand? Now is the time as globally we have taken a massive financial hit due to COVID. In North America, cannabis dispensaries were designated as essential stores during lockdown. Governments around the world are realising that now is the time. Sadiq Khan, the Mayor of London, says that now is the time to explore this. Lord Falconer says that now is the time. But why not Deputy Mahoney? Because he, like many in this Assembly, do not know what a well-regulated market looks like.

2785 I am not giving way. I want to just finish my speech if that is okay? To be honest, if I had to correct all of the misleading statements I would be here for days and you have probably all had enough of me now so I would just say (*Laughter*) ... Sir, Members are lucky that I took your advice and did not go through everybody else's because we could have been here for at least another half an hour. And there was a bit of humour in there but anyway we missed that bit out.

2790 So I would just encourage Members to put their shoulder behind 14B so we can have some common sense to this issue.

Thank you, sir.

2795 **The Bailiff:** Deputy Helyar.

**Deputy Helyar:** Thank you, sir, and I also thank Deputy Leadbeater for his passionate speech. I can completely understand why he is coming from the position he is coming from.

2800 I could not speak in the main debate without saying something about cannabis because it has clearly become such a huge issue in terms of the Propositions. My father passed away in 2004, having suffered from multiple sclerosis for about a decade before that and he took part in the cannabis trials, which happened before that, which I have to say were pretty cruel because at that time medicinal cannabis was not available in Guernsey and if you take part in a proper medical trial you have to do blind trials. So one week you might get a real dose and the next week you will not, you will get a placebo.

2805 It did work. It really helped with his muscle spasms. He was able to actually walk for longer than might have otherwise been possible. So I have seen the benefits of it first-hand. But that is a medicinal issue and his suffering has actually helped for the position to change today so that people are able to go and get themselves prescriptions for medical cannabis.

2810 I have to say I have been very persuaded by the words of Deputy Brouard in this debate because Deputy Brouard has the biggest budget to manage of any of us and he went back to what this debate is all about. It is about prioritisation, and for me, I think the quickest way to get to some of the results, which the public would like to see, and the cheapest way, is to allow 14A to happen and not 14B. That is my view. I accept that there were others that differ in that view.

2815 One of the things I have to say, and I do not mean to be kinky, sir, but I have been a bit turned off by some of the debate in the GWP. I have to say there have been a lot of personal attacks, there have been a lot people standing up and just saying, 'I do not like this because you disagree with me'. Not trying to persuade. I am an open-minded person. I am quite liberal, as Deputy Leadbeater knows, in terms of my views toward cannabis, and I am willing to be persuaded otherwise. But I am not persuaded by people standing up, hectoring, annoying, trying to upset or sledging other Members of the Assembly. That is not, in my view, sir, my opinion, an appropriate way to debate.

2820 We are here to try and persuade each other to reach consensus. That is what this Government system is supposed to be about. So I have not been persuaded by the hectoring, or the lists, or the standing up and moaning about amendments we lost yesterday. I am not persuaded by it. Let's move on.

2825 Now I would like to again commend Deputy Soulsby for the work that has gone into preparing this report and the Propositions that now stand before us. And, of course, the excellent amendments that have come in. They are excellent. I think they will make a big difference. I think they will broaden the scope of some of the things, which we need to be looking at, in order to get things moving quickly, and I thank Members for their support in connection with them yesterday.

But I have to stand and say, as the Treasury rep on Policy & Resources, sir, is this affordable? Well the simple answer is no, it is not. Deputy Kazantseva-Miller made these comments last year during the GWP debate and actually she is quite right. Can we afford to do any of this? This is a finite runway that we are looking at here in terms of what we can afford in costs.

Once we have spent the money that is in the list it is gone. There will be no more. We will have to raise tax to pay for what comes next or for new ideas or the things that come after it. There were several critical speeches yesterday about my idea to try and get States' Members to rank those things which are in the list. Well, why is that? Because we can only afford to do some of it. That is the truth of it. We may get away with it because of phasing. We may find that we can stretch out a capital project and start in four years' time or put it on the backburner or, in some cases, forget about it. What would I do? Well, I would take whatever priority list that we end up with and draw a red box around it and say that is what we can afford to do.

Everything else goes on the backburner and had I been minded to do so I might have even taken that amendment even further and suggested that we do that. But that is going to be very difficult for Members. Very difficult. Because we have already got a list that is three times too long and we will not achieve. And I am quite happy to stand up here and say it because I know we will not. We cannot move fast enough. We cannot fix stuff that is broken. We have allowed all sorts of things to slip for years and years and we keep kicking cans down roads in many different ways and a reckoning is coming.

Though I will support the Propositions. I will support all of them. But I will be a 14A rather than a 14B. That does not mean that I am not willing to be persuaded and I think we should try and find a way to have that discussion. Not necessarily in here but let's find a different way, perhaps, to process that. Because there must be a way to do it.

These Committees that we are talking about, HSC and Home in particular, they need to mend the wounds that have been created by having a battle over this particular issue. We should not be in the weeds, we should be deciding on what our priorities are today. So I would like to thank Deputy Soulsby again.

I will support the Propositions and I would finish with another musical reference. It is Chris de Burgh this time, sir. It is *Don't Pay the Ferryman*. Unfortunately, we are going to have to. That is the thing that we must face up to. We are going to have to pay the ferryman and we really need to start realising that a lot of things that are in this list are just unattainable and we need to make sure that we are looking after our economy in what is likely to be one of the most difficult, I think, phases in Guernsey's economic history over the next two to three years.

Thank you, sir.

**The Bailiff:** Deputy Taylor.

**Deputy Taylor:** Thank you, sir.

I thought you were going to call Amendment 15 then and I was getting even more nervous. I feel being last in debate, which I think I am last in debate, has put a bit more pressure on than I had hoped because I have not really got much of a speech prepared. So I am going to start with some lyrics with a song and I am going to direct them, through you, sir, to Deputy Soulsby. These are lyrics that were in my head through every meeting that has even mentioned the letters GWP. The lyrics:

From the day we arrive on the planet and, blinking, step into the sun, there is more to see than can ever be seen and more to do than can ever be done. There is far too much to take in here. More to find than can ever be found but the sun rolling high through the sapphire sky keeps great and small on the endless round in the circle of life.

And I do not envy the task that she has had putting all that stuff together. So I just want to put it on record, I do appreciate, even if I have been critical on some parts, I appreciate the work that has gone into producing that document and I hope she enjoyed the little song there.

Secondly, and I think it is an important part to answer Deputy Leadbeater's speech, why don't people want a debate, but why do I not want a debate on cannabis? I absolutely do. It is not that I want a debate on cannabis I just do not object to a debate on cannabis. What I really, really object to is being able to make any remark, discuss anything and have everything just thrown at you because you disagree.

It is opinion. I think the words of Deputy Leadbeater were a crock of nonsense. Deputy Kazantseva-Miller described it as irresponsible to lay an amendment. Quite evocative terms but just putting across views, asking questions, actually trying to stimulate a bit of a debate in a way, but it gets ripped to pieces.

No one picks on any of the more difficult bits that were in the report attached to Amendment 10, which was not laid. They do not answer any of the questions. They just picked on a few little bits. That is what I do not like and it is kind of borne out on social media. You try and put out a little question and actually people say, 'You are an idiot, you should not have been elected.' I have even had someone put directions to where my house is being built. I do not know what that is about. That is hardly a constructive debate. So I do not enjoy any of that. Maybe that is just part of politics and I need to man-up a little bit, even if that is a terrible phrase.

Anyway, sir, many Members have talked about the benefits of legalisation, a regulated industry. I broadly agree with much of the positive arguments that have been put across. Despite some fairly long speeches, they have all been pretty light on any of the how. The big dollar signs are in the eyes, all the benefits but none of the actual answers.

It seems to me that certain issues can be ruled out because we have not done the scoping yet at the same time some Members are willing to write off all the future tax deficits on a horse that has not even put its shoes on yet. Sir, I actually sit somewhere – metaphorically speaking – between Deputy Roffey and Deputy Meerveld. I have tried cannabis in a similar vein to Deputy Trott. The only joint I have rolled is my ankle. But I have eaten cannabis. I have tried it. It was not particularly for me but I respect anyone who wants to use it. I have got no issue with that. That statement has been out in the media. I do not object to it. But that is pretty much all I am going to say about the pros and cons of cannabis.

Deputy Bury, I hope she will not mind, this is paraphrasing but it is not the most contentious of votes so hopefully she will not mind me getting it a bit slightly wrong, Deputy Bury said to the BBC, we need to be like other mature jurisdictions and have these conversations. We cannot put our fingers in our ears and go, 'La, la, la'. She did make the face at the time.

I for one, sir, I totally agree with that. And it is with that in mind I would like to pose a quick question to H.M. Procureur, if I may. I would like to ask if Guernsey are party to, either directly or through the United Kingdom, the 1961 UN Single Convention on Narcotic Drugs?

**The Bailiff:** Do you need time to think about that, Madam Procureur, or are you able to answer directly?

**The Procureur:** Sir, I am aware that the Convention to which Deputy Taylor refers is the subject of a Memorandum of Understanding between Guernsey and the Home Office. I have not seen the actual Convention listing Guernsey as a party. I know the UK has ratified it, but it is the subject of a Memorandum of Understanding, if this assists Deputy Taylor?

**Deputy Taylor:** It does, thank you.

With that in mind, I am going to read some information that we have had, Not prepared by Home Affairs but information that was put to Home Affairs as part of the discussion that led to the signing of the Memorandum of Understanding, which is of course what was required to get the medicinal cannabis industry going in Guernsey and I think it is all quite relevant. So, it reads:

Under the UN 1961 Single Convention on Narcotic Drugs, the Convention, the Home Office holds a responsibility in international law, to ensure that the cultivation of cannabis in Guernsey does not breach the terms of the Convention,



as the UK are responsible in international law, for meeting these requirements for the British Isles, they are at risk of breaching the Convention if Guernsey decides to operate cannabis businesses outside of the MOU which is in place.

2930 That is not private wording, it is available on the gov.gg website and it is backed up by reading the MoU, which is signed and it is all in hand. I do apologise, a bit of forewarning to Madam Procureur but it is an MoU that we are through the UK part of that Convention.

2935 So, when we follow through and I cannot read from the MoU because we are not allowed to, it is private, it has got security writing all over it. So I cannot read from that but what I can read is Articles 23 and 28 from the 1961 Convention, which is what is being referred to in the MoU and it is the important part of the MoU that we are kind of seeking to satisfy. Article 28, the first one, is the control of cannabis and point one reads:

If a party permits the cultivation of the cannabis plant for the production ...

2940 – and I have probably lost the description, production essentially, production is defined in the Convention as removal of leaves or extraction oil/resin. So –

... of cannabis or cannabis resin, it shall thereto apply the system of controls provided in Article 23, respecting the control of the opium poppy,

It does then go onto say in the second part:

The Convention shall not apply to the cultivation of cannabis exclusively for industrial purposes 'fibre and seed' or horticultural purposes.

2945 So, if we then go on to Article 23 and it is a bit more weird to read because you have to remove the word opium and change it for cannabis but if Members will bear with me:

The party that permits the cultivation of [cannabis] for the production of [cannabis] it shall establish if it has not already done so and maintain one or more government agencies who are through this article referred to as the agency, to carry out the functions required under this article.

Now this has been done. Members will have seen the media release. The Bailiwick of Guernsey Cannabis Agency. I will continue with point two.

Each such party shall apply the following provisions to the cultivation of the [cannabis] for the production of [cannabis]: a, the agency shall designate the areas in which and the plots of land on which cultivation of the [cannabis] for the purpose of producing [cannabis] shall be permitted; b, only cultivators licensed by the agency shall be authorised to engage in such cultivation; c, each licence shall specify the extent of the land on which the cultivation is permitted; d, ...

2950 – this is where it gets even more interesting –

– all cultivators of the [cannabis] shall be required to deliver their total crops of [cannabis] to the agency, the agency shall purchase and take physical possession of such crops as soon as possible but not later than four months after the end of harvest; e, the agency in respect of [cannabis] have the exclusive right of importing, exporting, wholesale trading and maintaining stocks other than those held by manufacturers of cannabis medicinal and ....

– it does exclude that.

2955 So that is the important part. Sir, I am not for one minute claiming to be an expert in international law. Not me. I am only reading information that has been put in front of me, clicking on the links that are normally attached. You know, you all see in the document, it has got the writing, there is a link you can click and it gives you more to read and you click on more links and it goes on and one and I like following those little wormholes of reading. So that is what it led me to.

2960 So, it is the MoU based upon the Convention, that allows Guernsey to have, well, at least gives Guernsey the opportunity, the potential, for a medicinal cannabis industry, which I think is quite relevant, it is quite interesting. And Deputy Cameron and Deputy Inder, and I apologise, I believe

Deputy Inder said this ... I was listening on the radio and it is not best in the library but I did hear Deputy Cameron say, paraphrase, we could just extend the existing medicinal cannabis regime.

But the Convention would also tell us that you can only use cannabis, excluding CBD, for medicinal or scientific purposes. It is not just a case that you can extend down. So, if we do that, you are outside of the Convention and in breach of the MoU so you do not have a medicinal industry that you can extend. I am more than happy to take a point of correction.

Now I can forgive Deputy Cameron –

**Deputy Cameron:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Cameron.

**Deputy Cameron:** I did not actually say that.

**The Bailiff:** Deputy Taylor to continue, please.

**Deputy Taylor:** Okay, apologies. I was listening through the radio.

Well, any Member then – ah, point of correction? No, okay, I give way to Deputy Inder.

**Deputy Inder:** Thank you, Deputy Taylor, for giving way.

I accept what he says having read the MoU because, obviously, on Economic Development, we have not had sight of it. It has been very much something, it is an international agreement done between Home and the UK. We facilitated some of the heavy lifts, for example getting cultivation licences in place but might he agree that if it is a fact that that is part of the MoU that should get through, that information would be properly looked at – I am not saying the Deputy has not looked at it properly – might form part of any future scoping and therefore might form part of any future negotiations if a jurisdiction chooses to go down a certain route, which Isle of Man or Jersey may at some time in the future?

**Deputy Taylor:** Absolutely.

I do not know what would come back from the scoping exercise, but it feels like it would have been an interesting point to have raised with Proposition 14B. It seems quite relevant to me. Anyway, I will continue.

If we have already sent resources down the route of coming up with the MoU, assisting the cannabis industry to get formed, medicinal cannabis, putting the Bailiwick group together, are we willing to go down a route that might potentially jeopardise all that industry and all that hard work and all that resource, be that officer, political, legal, is that worth the risk? But so what? We have heard from Members, Canada, they are a signatory on the Convention ... I will give way to Deputy Leadbeater.

**Deputy Leadbeater:** Sir, I thank Deputy Taylor for giving way. I would just like to point out that the industry, the licensees in the Bailiwick are asking for the Government to support 14B, so they do not believe that it is going to be detrimental to the industry and I believe that countries such as Canada, etc., that have legal cannabis regimes are also signatory to the 1961 Convention.

**Deputy Taylor:** No, Deputy Leadbeater is absolutely right and I was just about to touch on Canada being in the Convention. I think I did just say it before I sat down. With regard to the views of the cannabis industry, certainly, and I am sorry to have to say on record I have heard from the House of Green but I have not heard from any of the other industries. I am not giving way –

**Deputy Leadbeater:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Leadbeater.

3015 **Deputy Leadbeater:** The correspondence that has been sent to us from the industry was signed by the CEO of the House of Green but he is also the chair of the Channel Island Cannabis Industry Association. He wrote to us on behalf of the Channel Island Cannabis Industry Association, not on behalf of his business.

Thank you.

3020

**The Bailiff:** Deputy Taylor to continue, please. I will make a similar comment to when Deputy Leadbeater was on his feet.

**Deputy Taylor:** Thank you, sir.

3025 So, Canada have ignored the Convention. They are a big country, they have got lots of resources, if they want to stand up against these conventions then good on them. Germany might well have to leave the Convention, which if they do is a year-long process and even if they do leave they could still face challenge from the European Court of Justice. But again, these are big countries that are direct signatories. If we are acting through the UK it is a little bit more complicated.

3030 It is true, we can play up to the crowd and we can say, 'The UK cannot tell us what to do.' I would like to believe that is true, to a certain extent. But if Members want to see any medicinal cannabis industry in Guernsey they will need an export market and that requires export/import licences and that requires the MoU.

3035 There is a very strong case here, whereby the UK do not need us but we do need them. If anyone thinks for one minute that we have big enough vinery sites, that we can control the industry and the UK cannot, over us, well I would like to know what you are smoking!

Sir, the Guernsey Partnership of Independents, it has not been mentioned for a while, I did some numbers and when I counted out, they took 147,030 votes in the last general election. Not one more, not one less, 147,030. Members will be interested to know that if – and it is a big if – that represented individual people making one single vote then that would have been 0.22% of the UK population, which is pretty much irrelevant but I kind of wanted to have a fact in there, a bit like Deputy Kazantseva-Miller had, referring to election numbers, which is semi-irrelevant.

3040 But what is interesting when we do a comparison between Guernsey population, which is not 147,000, it is 64,000, that makes about 0.09% of the population of the UK. Now why is that relevant? Well it is relevant because if anybody in this room thinks that the value to Guernsey's tax revenue from the medicinal cannabis industry will be borne from local consumption, how is anyone going to spend that much money? The UK is a market. You need to be able to export it. So why would we do anything, or even look to do anything, that might risk that?

3050 Why is that at all relevant? Well, hypothetically if we were, after review, going to legalise cannabis, regulate it, where will it come from and the best answer that has come out so far is this: local suppliers. I mean, bearing in mind most local suppliers buy their wares from the UK anyway and milk was one that was given by Deputy Matthews as an example of something that is produced locally, but just getting a carton of milk to your door, or to your fridge, in your shop, that requires a huge amount of work. There are loads of regulations, there are loads of complex processes just to get milk to your fridge. Why do we think we would just be able to get cannabis on our shelves here?

3060 A substance which is controlled in all our neighbouring jurisdictions and we think we will just be able to get it on the shelves. And for what? An estimated £2 million of taxes? I do apologise for picking on Deputy Leadbeater but the information he provided to Members as an industry estimate of the revenue potential in taxes and is quoted by, I think Deputy Matthews quoted it, it was picked up by Deputy Mahoney, of £2 million of taxes but when I look at the spreadsheet it is in US dollars, it is not in GBP. I do not know if that is a small error or not. It is not a big sum of money. I would be happy to have £2 million, but it is not £2 million, it is less. It is about £1.65 million, £1.7 million.

3065 That does not really go far. When you consider Germany, who are considering the same thing that is being proposed here for the scope, have set aside 10 people, lawyers, officers, to look at this. They have got a population of 83 million. Those 10 people can be diluted much easier than they can amongst the population of 63,000-64,000. It is simple maths. It is no more simple for a population of 63,000, there is no correlations between population size and difficulty writing legislation. I do not think you need to be an expert or a lawyer to understand that.

3070 So how could we do it for less? If we assume we need 10 people to really look at this, as Deputy Ferbrache said, where are they? I do not think they are under anyone's rugs in here. But it is really easy, if we take some of the information that came from industry, we could simply copy and paste the liquor licensing laws. How attractive does that sound: copy and paste the liquor licensing laws?

3075 There will be a few people in the room, I am sure, who have read the liquor licensing laws. One of them in particular is of interest is the Liquor Licensing Ordinance, 2006. You have only got to read that with the indoor smoking ban in mind to realise how absurd it is to just copy and paste it and replace the word alcohol or liquor with cannabis. It just does not work.

3080 But there is hope because we have the ability, with an existing legislation, as has been referred to by Deputy Ferbrache, to satisfy most of the concerns that have been raised by members of the public and Members of this Assembly. We have the ability within our existing legislation, to address those points. But we cannot do that if Members of this very Assembly continue to peddle the outdated views of the relationship between cannabis, Law Enforcement and the courts. They are outdated views.

3085 Sir, I know it has been said, but I just have to say this point specifically. The Prison is not full of people on possession offences. The Prison is not even close to being full with possession offences. There is no one in the Prison on a possession offence, let alone possession offence for cannabis. So irrespective of your view on cannabis, do not downplay the extreme size of the task ahead, most of which is totally outside the control of this Assembly. If you genuinely want to legalise cannabis, my suggestion is let Germany do the legwork. They have already highlighted that most jurisdictions that have tried so far are failing.

3090 It is so funny when you get sent articles from people supporting their viewpoint and then you read through them and they highlight that actually the Germans have highlighted that various jurisdictions are failing in their approach because they have not done it properly. They have kind of tried to beat around the bushes a little bit and it is not working.

3095 So I would propose, if you want to see cannabis legalised, let someone else do the legwork. Do not waste our taxpayers' money and our resources running down a rabbit warren where you do not know where you are really going to end up. We have not got resources to spare.

3100 Sir, I am going to end with just a reference to the fact that this is just scoping. I can see Deputy de Sausmarez is having a little giggle. Deputy de Sausmarez said in her speech earlier that she cannot give comment on cannabis, she cannot give a comment on that part, she cannot enter the debate because she does not have the facts.

I will give way to Deputy de Sausmarez.

**Deputy de Sausmarez:** I thank Deputy Taylor for giving way.

3105 I did not say I could not give comment, I said I chose not to give comment. It is very different.

**Deputy Taylor:** I concede.

I give way to Deputy Moakes.

3110 **Deputy Moakes:** You have obviously been looking into some of the rules and regulations quite carefully and have done some background checks. As you were mentioning that the thought suddenly came to me about the Common Travel Area and presumably, sir, if this went ahead, our coming in and out of the UK would change, because they would not just let us walk in with a bag full of drugs, for example.

3115 I say that simply because the people that are looking into doing this, I tend to agree with you, there is quite a bit of background work, I think, if it has not happened needs to happen to look at the implications of doing this and what the wider implications, not just here but outside might be, sir.

Thank you.

3120 **Deputy Taylor:** The jokey answer is if Deputy Moakes wants legal advice he will have to see me in my private practice after the Meeting! But the honest answer is I do not know. I think it is something that absolutely would need consideration.

3125 But the point I was making on scoping, Deputy de Sausmarez would not comment on the cannabis pros and cons – *decided* not to comment on the cannabis pros and cons – because we do not have the information in front of us; it would be better to wait until we have the scope document and that would be the point at which comments would be made. I will give way again, I am open to debate.

3130 **Deputy de Sausmarez:** Thank you. I thank Deputy Taylor.

The reason I decided not to extend my already quite long speech any further was because the decision that we need to make is about whether or not to scope it. So I was trying to contain. I did not think my views on the several steps further down the line would be particularly pertinent. Other Members seemed to see this very differently. That was my view, that I did not think any of my views at this point would be relevant to the Propositions actually in front of us.

**Deputy Taylor:** I cannot decide where we are at on that. Maybe agree to disagree.

3140 All I would say to Members is, it may just be a scoping exercise but if it is a scoping exercise that you do not think is actually feasible to pull off, the end result is just a complete waste of time. I will not go on any further than that because it is late on a Friday afternoon. But all I would ask is Members vote sensibly and they vote against 14B.

Thank you, sir.

**The Bailiff:** Alderney Representative Snowdon.

3145 **Alderney Representative Snowdon:** Thank you, sir.

3150 I will be quite brief. This feels a bit like the education debate. I think Members have probably made up their mind how they are going to vote but I think it is really important that your manifestos that went out and what you did in the election and the people that you talked to, which were all lots of different sorts of people, what are their views on this? How are they actually feeling on this? What is the street feeling on this?

3155 Because I have got a fear that this is going to come back one way or another and there is going to be so much time debating this, going round in circles and not moving forward, whatever that way forward or backwards may be, and that is what is really concerning me, that this is taking up a vast amount of time – we have not even got onto the accounts yet on day four – going round in circles, very good points being raised but this is a very important subject matter.

3160 So it is not really for me to convince you, it is to think of those people that voted for you. What are their views, what are they feeling about it, what are you hearing on the street? Are the voices going to get harder or a bit more quiet about this subject matter? Only yourselves can answer that question.

I just want to turn to one other point now, just completely off subject, because the Chief Minister very kindly brought up the runway in Alderney, which was good to hear. Page 25 of the Government Work Plan monitoring report, options for Alderney runway. I just want to highlight that this Resolution was passed in 2018. I do understand it does say an extension in there but it would be quite beneficial if the Chief Minister could indicate what was actually happening with Alderney runway some time soon.

Thank you.

3170 **The Bailiff:** Well, there is only one Member who has not spoken. He is sitting in his seat, so I would turn to the Vice-President if she were here, to reply to the debate.

**A Member:** Is there an amendment?

3175 **The Bailiff:** Okay, let us have Amendment 15 circulated, first. That does make sense. Members will get a paper copy of that.

Has every Member got a copy of Amendment 15? It does require a motion under Article 7(1) of the Reform (Guernsey) Law, 1948, to put first, so Deputy Ferbrache to move that motion please.

*To suspend Rule 24(2) of the Rules of Procedure of the States of Deliberation and their Committees, as modified by the Rules of Procedure of Remote Meetings of the States of Deliberation, to the extent necessary to permit the amendment set out below to be debated.*

**Deputy Ferbrache:** Sir, I move the motion.

3180 It will be seconded by Deputy Oliver and the sole reason for, if the motion is successful, is so that Members who have expressed their disquiet about having to vote for a consolidated number one have the opportunity of voting for part of number one and then a separate amendment. It was not my intention that people be proscribed, or prevented, I should say, from voting separately. It was a separate amendment, it was passed by a majority and I think, in the interest of democracy, people ought to have the right to cast their vote differently – it might be the same way – but cast  
3185 their vote differently in relation to that.

That is the sole purpose of it. I should have spotted it when it was consolidated. The error was mine and I apologise for that.

3190 **The Bailiff:** And Deputy Oliver, do you formally second the motion?

**Deputy Oliver:** Yes, sir.

3195 **The Bailiff:** Any debate on the motion or can I simply put that to you to suspend Rule 24(2)? In that case I will put the motion under Article 7(1) of the Reform (Guernsey) Law, 1948, proposed by Deputy Ferbrache and seconded by Deputy Oliver to suspend Rule 24(2) to enable Amendment 15 to be debated. Those in favour; those against?

*Members voted Pour.*

3200 **The Bailiff:** I will declare that carried.

*Amendment 15.*

*1. In Proposition 1, delete the words from and including "and to direct the Development & Planning Authority" to the end, and*

*2. Immediately after Proposition 1D., insert the following proposition:-*

*"1E. To direct the Development & Planning Authority to delete clause 7.2 in the Affordable Housing Supplementary Planning Guidance 2016 and insert the following:*

*"7.2. However, the applicant/developer can select between options a, b, and c to meet the affordable housing requirement with the following types of contribution:*

*a. Transfer of Land: Land for affordable housing should be provided on the subject site. The land would then be developed for affordable housing by the States of Guernsey or a registered housing association. Where land is to be provided, the percentage required of the developable area will be transferred to the Committee for Employment & Social Security/Housing Association at nil cost.*

*b. Provision of intermediate housing Units: The provision and sale of completed affordable housing units built by the applicant/developer and sold to a buyer from the Committee for Employment & Social Security/housing association's intermediate housing waiting list on the following basis:*

*i) relevant properties to be offered for sale and transferred to qualifying purchasers at 75% of market value,*

*ii) restriction on onward sale and transfer at any more than 75% of market value at time of sale,*

*iii) Guernsey Housing Association to have first option to purchase.*

*c. Off-site provision: The provision of land or units to meet some or all of the policy requirement, including appropriate existing dwellings or other premises at another location which is in the same ownership as the principal site. The terms of the transfer for each are the same as explained above in (a) and (b). Premises off-site will be considered on a case-by-case basis. In this scenario, the premises proposed to meet the policy requirement must be capable of development for those purposes within the terms of the policies of the Island Development Plan (2016) or have outline or full planning permission for an appropriate amount and form of housing to enable the affordable housing policy requirement to be met. In these circumstances we may require the 'off-site' affordable housing, or a proportion of it, to be constructed and/or made available ahead of the development of the general market housing.'"*

**The Bailiff:** Do you wish to speak to the amendment, now, as well, please, Deputy Ferbrache? I know you have sort of touched on it.

3205 **Deputy Ferbrache:** To be honest, sir, not really, because all it is doing is putting back what was a separate amendment in a different Proposition. That is all it is doing. Of course people have the right to re-debate it. I hope they do not.

**The Bailiff:** And, Deputy Oliver, do you formally second Amendment 15?

3210 **Deputy Oliver:** Yes.

**The Bailiff:** Any debate on Amendment 15?  
Deputy de Sausmarez.

3215 **Deputy de Sausmarez:** I promise I will be incredibly quick, sir.

This is really just to say thank you very much to Deputies Ferbrache and Oliver and I really do hope that the whole Assembly can get behind this particular amendment because, obviously, I am not on my feet to try and persuade anyone to vote against this if it becomes a separate part of Proposition 1, it would become Proposition 1E, it really is just to enable those of us, and I think we are probably quite a small minority, who feel differently about that particular section, to make that clear and transparent, in the interests of openness and transparency and good governance, on the record.

Thank you.

3225 **The Bailiff:** Well, no other Member is rising, there is nothing really to reply to, Deputy Ferbrache, so I am going to put to Members Amendment 15, proposed by Deputy Ferbrache and seconded by Deputy Oliver. Those in favour; those against?

*Members voted Pour.*

3230 **The Bailiff:** I will declare that amendment duly carried, which means we now have an unamended Proposition 1, so you will have to change your consolidated Propositions, please, Members, because you will not get another one, but we have got a new Proposition 1E, which does not change any substance, it just means there will be two votes, rather than one.

3235 I turn now to Deputy Soulsby, as the Vice-President, to reply to the debate.

**Deputy Soulsby:** Sir, well, we have been talking a lot about songs over these last few days. One that came to my mind was, *How Long Has This Been Going On?* I think it was a song back in the 1970s when I was a little nipper. I am certainly not feeling like a little nipper right now! I would thank  
3240 Members for their kind comments both to myself and officers and I should say, in particular, Deputy de Sausmarez touched on this, the cross-Committee working amongst officers has been really fantastic.

I think part of the reason for that has been helped by some of the changes that the interim Chief Executive has done since he has been in office in changing reporting lines and actually helping  
3245 Committee secretaries a lot in the different reporting structure. But I do thank, myself, all those officers, including the policy lead on this work, because it has been quite a mammoth effort.

Actually, I have never been serenaded before, so it was quite nice of Deputy Taylor to do that. I might mention it to Mr Soulsby tonight and see what happens, but I do not think he has got quite the singing voice.

3250 Just moving onto various comments that have been made. Deputy Gollop spoke about the third sector. He wanted, no, this is all about Government what about the third sector? Well, actually it is not. This kind of touches on what Deputy Kazantseva-Miller said in her speech about, 'I want to know more about what P&R are doing.'

Well, it is actually mentioned in both the Annual Monitoring Report and in the policy letter and  
3255 one area is around commissioning and using the third sector and I can advise that a lot has been going on, on that front. As he knows, there has been work on healthy weight strategy and setting up the Health Improvement Commission last term. We have got the Strategy for Nature, the Nature Commission being set up, we have the Sports Commission – and on that I need to declare an interest as a trustee of the Sports Commission – and the Youth Commission. Guernsey Finance, working  
3260 with them, and GET, as Deputy Gollop will know, as being on ESS.

We have been looking at the lack of consistency and lack of consistent approach when it comes to working with third sector partners, so looking at KPIs, funding plans and governance. So, it is not stuff that sounds terribly exciting but it is getting there in a way that we have not been in the past and it has always been a problem with Government and the Third Sector actually having to deal  
3265 with Government and I am hoping, shortly, we will be able to provide much more information on that. But it is actively being worked on.

Deputy Queripel, back in yesterday, talked about not enough emphasis on sport and the arts. Well, as I mentioned, my interest a moment ago on the sport front, there is a whole Activ8 work going on, which is quite a significant investment on the Island on sport and I would hope that the  
3270 Committee for Education, Sport & Culture might be able to provide more information on that, as well as on the Arts Commission. I do not think any Member responded to Deputy Queripel on that but I am sure ESC will be happy to provide more information.

I was surprised by a couple of comments from those saying that climate change does not exist. I do not know if they mean that or they do not believe the cause, that there is man-made climate  
3275 change. That is one thing, although I think both are wrong. Certainly, climate change does exist and I think Deputy de Sausmarez referenced that earlier.

Deputies Meerveld and Roffey spoke about 18C and they want P&R to come back here with the methodology. But I do not know if we can do that in the timescale on other work that we have got to do. The Proposition does not actually tell us to do that anyway. As much as I do not like that  
3280 Proposition and as much as I understand those Members who do not like it, well first of all we have got to get our heads around what that means anyway, but we will certainly provide Members with the detail ahead of them having to undergo this process.

Deputy Bury, I do thank her for her speech and I do thank her for approaching me and asking whether she could speak to me about things that she was not sure about and I am glad that she  
3285 found it useful. She did pick up errors in the Report, which I absolutely admit to. But I do thank her because she did pick up on one point, which a certain Member who is not here this week, decided



to make a headline and was then run as a headline in the *Guernsey Press* about one particular paragraph in the Work Plan. It was 8.3. Now clearly it says:

The States must take a prioritised approach to social, cultural, political, economic, commercial and environmental factors, which impact Islanders, but the health, productivity and success of the community as a whole.

3290 Now, *mea culpa*, I have read that more than once, I can assure everyone, and I did not see that it missed one little word. A little four-letter word, and it is not what you might think but is actually 'also'. So it is meant to say:

The States must take a prioritised approach to social, cultural, political, economic, commercial and environmental factors, which impact Islanders, but also the health, productivity and success of the community as a whole.

3295 So hopefully that does make sense to Members and I do thank Deputy Bury for asking me privately what that was. So I thank her very much.

Deputy Kazantseva-Miller talked about Policy & Resources aspects of the Plan and would like to know what is in our mandate in respect of this. We have got a funny old mandate, it has to be said, it is not as straight forward as understanding like Health & Social Care is health and social care, Education, Sport & Culture, education, sport and culture. Policy & Resources is a right old mishmash of stuff and we get all manner of things that pop up because they do not fit anywhere else. It is a funny old Committee from at least that perspective anyway.

3300 But within the Plan a lot of what we do is the co-ordinating. I think, yes, there are bits in here about Brexit, trade agreements, the stuff we are doing on reshaping Government. I just mentioned commissioning. But we are acting as co-ordinators. A lot of the work that we have spoken about over the last four days involves P&R acting in its co-ordinating role and we have seen that housing, particularly, and I think perhaps Members need to understand that what we are trying to do, particularly this term, is act as co-ordinators as much as we can.

3305 Deputy Trott, yes, I knew when, after the CPA AGM on Wednesday night, he referenced having done a module of a diploma on strategic policy that 'he is going to use that in the debate' and he did and I was so pleased! I ticked that off my list. But I am also really pleased, his reference to the cost of living and I am surprised there has been less coverage of that in general debate and I understand the housing and the impact on cost of living, but it is wider than that.

3310 I did actually myself think about laying an amendment in respect of this, relating to home insulation. It is something I really feel that it is something we should do. It was even on a programme on Radio 4 yesterday about it is such a big win when it comes to dealing with climate change, energy use and cost of living and how the UK government is not doing enough. Sorry, Deputy Oliver, I think I will be going on a long time. But Deputies de Sausmarez and Roffey assured me that that work really is happening and we can expect to see something on that. But, yes, I think cost of living is absolutely crucial.

3320 Deputy Trott, yes, he is right about costs and the need to raise taxes because of all the services we need and our ageing demographic and people wanting the services that they have been accustomed to. But I think our real issue right now is getting the people to provide those services that the community has grown to expect. That is a real, live issue as we know and certainly in health and social care, with so many agency staff, it is building up and up. That will lead to even more costs we are going to have to deal with. So that is something we need to focus on as much as anything else.

3325 There were not a lot of comments about anything other than – I think I picked up – cannabis but Members will be pleased that I am not going to go through what everyone has said on cannabis. I do think we have had some excellent contributions and it is for Members to decide from what they have heard about how they decide.

3330 I will just pick up on a few points, which actually relate directly to what is in the Plan and just give, briefly, my view. I thank Home Affairs, actually, for the report that was attached to Amendment

10 that was not laid. That was a wise move, I think. But it was a good report and valid points made and can be used to help inform the scoping that is needed, I think.

3335        However, it is evidence based on one perspective and I think that does need to be borne in mind. I think there have, as I said, been excellent contributions from those seeking review and those not, because of the harm or benefits they see cannabis bringing. Members do need to ask themselves whether that is enough to determine whether we should scope the work needed for a potential review.

3340        I think I will just go on and just, as I say, speak about the different elements, in terms of the whole GWP and why it is as it is. Whatever is decided on Proposition 14, and I have said this before, neither action will be a category one priority action. So those who said it is not something that should be a priority were probably missing the point. I agree that there are more important issues HSC have to deal with.

3345        I mean, I would like to see more work done on the universal provision, which would pave the way for a care passport and make it clear to individual Members of communities what their entitlements are and what we can actually afford to provide the community. I think that is a really important piece of work but it is not a priority one action.

3350        Deputy Parkinson and others said A and B are totally different. But they are not and in this context and why they are in there as there is because the resources that are needed to do one or the other are the same or very similar. That is why it is an either/or option.

3355        I am just going onto Deputy Leadbeater's comments. It might be unfortunate that we have had A and B together as we have but it is necessary. No, it is not easy and in the past the States have said, 'Oh, right, okay then, it is too difficult a decision, we will go for both of them ...' Knowing but not even thinking about the fact we have not got the resources to do them.

      We talked earlier about focus and discipline. These are the hard decisions we have to make and the reason why it is A, it is about the Public Health Law versus cannabis is because they both use the same resources in particular.

3360        Now Deputy Leadbeater, he was absolutely right in all he says. I said to him last year this is the best way of resolving the issue, rather than through a requête, out of leftfield, which I think would have been harder for those Committees involved. It is much better that it forms part of our decision-making in terms of what we think is a priority, what we think should be in the Government Work Plan for the next year.

3365        Now I needed to clarify on this point because it might have caused confusion to people. He said HSC did not want it – that is a Public Health Law – but he fails to understand on this point that Policy & Resources were under Resolution and looking to discharge what this Assembly asked it to do in the COVID debate in January. That is the truth of the matter.

3370        So HSC were asked specifically if it did that work what would not be done, and the action that they talked about was cannabis. It was about this review. Really, and it is about basically deciding the different Resolutions we have got, which one should come first and I think, as I have just said, it should be a lesson to Members about thinking very carefully before bringing amendments to this place.

3375        It is because of that decision in January we have this choice to make. Saying that, given HSC wanted to do it, the cannabis review would have been put forward by them. If we did not have that option, if that amendment had not been laid in January, we had not approved it, HSC by a majority, would have wanted to put the cannabis review within the Government Work Plan.

3380        Now it would not have been a category one action even then, it would have been category two or category three. But they would have wanted to do that. So to believe that we would never have this debate I think is wrong, is misguided. We would. HSC would have said, 'This is what we want in category two.' It would have been put in category two of the Government Work Plan and we would have had this debate because there are members here who do not think it should be in here at all and that is what we are debating and that is what we have been debating today.

      So, sir, from my perspective, for me, I do think the cannabis debate is a debate we need to have. Now Members should know that before last term, cannabis was scheduled in the Law as having no

3385 medicinal value. Now it was apparent from all the evidence provided to the then HSC at the time that this was nonsensical. Accordingly, we rescheduled it so it could legally be used for medicinal purposes and set out the circumstances in which it could be used. There was little interest from the medical profession to prescribe them then and there were issues until now, we have online, on-Island prescribing.

3390 We enabled small amounts of THC and cannabinoid products and the CBD market began with shops opening up, selling those products. We also commissioned the Sumnall Report, which funnily, both sides of the debate think is a good report. So I think it probably is and I was really impressed by it at the time, actually.

3395 Now that was not it. Of course we have had COVID and that was an issue in this because the original intention was to be able to include that within the substance use review, which was intended at the time to come to the States. Now, and they are perfectly entitled to do it this way, but HSC decided not to come to the States with the substance use review and that was published separately. But that had been the original intention.

3400 So there was a way that this debate would be had some way or another. So, for me, this is unfinished business because we have had the *sursis motivé* in previous States where there is an extant Resolution as well, and it was agreed by that States. It does not mean, though, whether I believe that we should be legalising cannabis or not, or whether we should be decriminalising cannabis or not, but for me it is a debate we need to have. I will not give way, sorry, sir.

3405 It is a matter of public interest and from my time on HSC I think Members may be surprised by the numbers of people who are interested in this issue and for whom the current regime does impact upon them quite adversely. It is all about harm. That is the public health element of all of this. It is about harms.

3410 We have many things that we allow in this Assembly that cause harm in many different ways and we allow them. Other things, but when it comes to cannabis we need to understand what is the relative harm of legalising or not legalising cannabis compared with everything else that we now legislate for? So that is really where I finish on cannabis and I leave Members to make their decision.

**Deputy Taylor:** Point of correction, sir.

3415 **The Bailiff:** Point of correction, Deputy Taylor.

**Deputy Taylor:** Deputy Soulsby said that we made the decision to remove or to reclassify cannabis and allow it for medicinal use and she was really excited by that. I think it was the 1961 amendment to remove cannabis from schedule four of the Convention to allow it be used for medicinal purposes was the reason why it was changed.

3420

**The Bailiff:** Deputy Soulsby.

3425 **Deputy Soulsby:** Sir, the change was made last term by, the then, HSC by rescheduling to schedule two within the Law. I know because I signed it.

3430 Sir, this is the Assembly's Plan and after three-plus days, nearly four, we have ended up with a set of Propositions that the Assembly can now vote on. Not everyone will like every Proposition. I do not. But we have got where we are through a democratic process, something we should protect and hold dear. After all, there are many other countries in the world that are not as lucky as we are and we should think about that as we vote today.

I think we need to point out again that these decisions may have repercussions in terms of resources and if that is the case we may need to cover it off at a later date. Members will see the additions to this Proposition 1, requiring other pieces of work. We need to think about whether we can manage that or not. But we will come back to the States if we cannot do that.

Of course this is the Plan now and, Deputy Gollop made this point, things change. Of course they do. Things can change. We have had lots of change since we approved the Plan last year, the Ukraine War being one of them and changes that happened internationally that impact us.

He is right but we have a mechanism for that, we come back to the Assembly as and when needed and we will do that. If we find the Plan needs to change we will come to this Assembly and say what the impacts are for other pieces of work that we might need to undertake.

Now this Plan is not perfect. It is, I think, better than the former States' Strategic Plan, Government Business Plan, Deputy Parkinson mentioned, and the P&R Plan. And better, I think Members believe, than was presented last year. But it can be better and that frustrates me because I am a perfectionist, although I have to say, after a decade in this job, it has taken the edge off it a bit.

But Deputy Bury made some good points on this. At some point in the future, if we have a different system of government and/or an Assembly dominated by parties, a Plan such as this might not be necessary. But under our present consensus system, this is the best way we can provide focus and discipline, a theme that very much has been mentioned a lot, has come up a lot in this debate, and I am very pleased it was.

We have debated issues today that, in past terms, could have been picked up by Committees without any knowledge of the Assembly until a policy letter arrived here, with no knowledge of the potential cost in terms of people or money and things have come a long way since then and I do thank Members for their contribution and those in Committees, well, in the next year, as they seek to fulfil the will of this Assembly and focus of those actions that we have decided are a priority and of pressing need to a community.

So, after four days, I will finish on the terms of another song, by the late, great Elvis Presley, and say, *A Little Less Conversation* and a little more action, please.

Thank you.

**The Bailiff:** Well, Members of the States, I asked you before we rose for lunch just to be able to let me know speedily which Propositions of the now 25 that we have got people would like taken discreetly and I have got a note at the moment of 18, 14A as a recorded vote and if necessary 14B as a recorded vote, and 8 discreetly. But are there any others?

**A Member:** 1E.

**The Bailiff:** 1E. A recorded vote on 8? (**A Member:** Yes, please.)  
Deputy Queripel.

**Deputy Queripel:** I did not hear that, sir. Was that asking for 1E?

**The Bailiff:** 1E, separately.

**Deputy Queripel:** Yes, please, recorded.

**The Bailiff:** And recorded.

**Deputy Queripel:** Has 8 been requested as recorded as well?

**The Bailiff:** It has.

**Deputy Queripel:** Thank you, sir. (*Interjection*)

3485 **The Bailiff:** No you cannot have a discreet vote. It is 18 or nothing. It has got to come as a whole because it is a single Proposition. *(Interjection)* Because I am telling you cannot vote separately on the sub-paragraphs in it.

**Deputy Burford:** Sorry, I do not know if I got across 1C and 18.

3490

**The Bailiff:** 1C, separately.

Anyone else? It is like Chinese menu time. Who is for prawn crackers?!

Okay –

3495

**Deputy Taylor:** Sorry, sir, I am still trying to get my head around where the amendment, the last-minute 15, I want to request 1A and 1B as separate and I think I just heard 1C. Just to clarify they were.

**The Bailiff:** Alright. 1A and 1B separate.

3500

Let me just check, we are going to take 1, then 1A, 1B, 1C, 1D, because that comes between 1C and 1E; 1E is recorded. Then potentially I can take 2 through to 7 together; 8 discreetly, recorded; 9 through to 13A together, 14A recorded, 14B if it is needed, recorded; 15, 16 and 17 together and then 18 discreetly but not recorded.

3505

**A Member:** 1C and 18 recorded please.

**The Bailiff:** Right. Any more for any more?

**A Member:** Sir, is it possible that 18 can be split as we have with number one?

3510

**The Bailiff:** No. Only by an amendment and it is really too late now as debate has closed. We know that 18 carried when it was done as an amendment so it is only going to be if anyone changes their mind and now votes against it.

3515

So let's start with Proposition 1, which is now unamended, as shown on the front of the Billet, those in favour; those against?

*Members voted Pour.*

3520

**The Bailiff:** I will declare Proposition 1 – *(Interjection)* I will still declare it carried but we will say it was carried without dissension.

Proposition 1A, those in favour; those against?

*Members voted Pour.*

3525

**The Bailiff:** I declare Proposition 1A duly carried.

Proposition 1B, those in favour; those against?

*Members voted Pour.*

3530

**The Bailiff:** Okay.

Proposition 1C, we will have a recorded vote, please, Greffier.

*There was a recorded vote.*

*Proposition 1C:*

*Carried – Pour 30, Contre 0, Ne vote pas 4, Absent 5*

**POUR**

Deputy Fairclough  
Deputy Ferbrache  
Deputy Gollop  
Deputy Haskins  
Deputy Helyar  
Deputy Inder  
Deputy Leadbeater  
Deputy Mahoney  
Deputy Matthews  
Deputy McKenna  
Deputy Meerveld  
Deputy Moakes  
Deputy Murray  
Deputy Parkinson  
Deputy Prow  
Deputy Queripel  
Alderney Rep. Roberts  
Deputy Roffey  
Deputy Soulsby  
Deputy Taylor  
Deputy Trott  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Blin  
Deputy Brouard  
Deputy Burford  
Deputy Cameron  
Deputy de Lisle  
Deputy de Sausmarez  
Deputy Dyke

**CONTRE**

None

**NE VOTE PAS**

Deputy Kazantseva-Miller  
Deputy Oliver  
Alderney Rep. Snowdon  
Deputy Bury

**ABSENT**

Deputy Falla  
Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier  
Deputy Dudley-Owen

**The Bailiff:** The voting on Proposition 1C, Members, was that 30 Members voted in favour, no one was against, there were four abstentions and five Members were absent and therefore Proposition 1C is declared duly carried.

3535 Proposition 1D *aux voix*, those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare Proposition 1D duly carried.

3540 Proposition 1E, there has been a request for a recorded voted.  
Greffier, please.

*There was a recorded vote.*

*Proposition 1E:*

*Carried – Pour 23, Contre 5, Ne vote pas 6, Absent 5*

**POUR**

Deputy Fairclough  
Deputy Ferbrache  
Deputy Gollop  
Deputy Haskins  
Deputy Helyar  
Deputy Inder  
Deputy Leadbeater  
Deputy Mahoney  
Deputy Matthews  
Deputy McKenna

**CONTRE**

Deputy Queripel  
Deputy Roffey  
Deputy Taylor  
Deputy Bury  
Deputy de Sausmarez

**NE VOTE PAS**

Deputy Kazantseva-Miller  
Deputy Murray  
Deputy Oliver  
Alderney Rep. Roberts  
Alderney Rep. Snowdon  
Deputy Burford

**ABSENT**

Deputy Falla  
Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier  
Deputy Dudley-Owen

Deputy Meerveld  
Deputy Moakes  
Deputy Parkinson  
Deputy Prow  
Deputy Soulsby  
Deputy Trott  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Blin  
Deputy Brouard  
Deputy Cameron  
Deputy de Lisle  
Deputy Dyke

**The Bailiff:** The voting in relation to Proposition 1E was there voted Pour, 23 Members; Contre, 5 Members; 6 abstentions, 5 Members absent and therefore Proposition 1E is also declared carried.  
I am going to take Propositions 2-7 inclusive together, those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare all those Propositions duly carried.  
There has been a request for a recorded vote in respect of Proposition 8, taken on its own. Over to you again, Greffier, please.

*There was a recorded vote.*

*Proposition 8:  
Carried – Pour 29, Contre 4, Ne vote pas 1, Absent 5*

**POUR**

Deputy Fairclough  
Deputy Ferbrache  
Deputy Gollop  
Deputy Haskins  
Deputy Helyar  
Deputy Inder  
Deputy Kazantseva-Miller  
Deputy Leadbeater  
Deputy Matthews  
Deputy McKenna  
Deputy Meerveld  
Deputy Moakes  
Deputy Oliver  
Deputy Parkinson  
Deputy Prow  
Alderney Rep. Roberts  
Deputy Roffey  
Alderney Rep. Snowdon  
Deputy Soulsby  
Deputy Trott  
Deputy Aldwell  
Deputy Blin  
Deputy Brouard  
Deputy Burford  
Deputy Bury  
Deputy Cameron  
Deputy de Lisle  
Deputy de Sausmarez  
Deputy Dyke

**CONTRE**

Deputy Mahoney  
Deputy Murray  
Deputy Taylor  
Deputy Vermeulen

**NE VOTE PAS**

Deputy Queripel

**ABSENT**

Deputy Falla  
Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier  
Deputy Dudley-Owen

**The Bailiff:** Members of the States, the voting on Proposition 8 was as follows: there voted Pour, 29 Members; Contre, 4 Members; 1 abstention and 5 Members are still absent and therefore Proposition 8 is also declared duly carried.

I am going to take, as I indicated earlier, Propositions 9, 10, 11, 11A, 12, 13 and 13A all together. Those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare all of those Propositions duly carried.

Proposition 14A, there has been a request for a recorded vote, so we will have a recorded vote on just Proposition 14A, please, Greffier.

*There was a recorded vote.*

*Proposition 14A:*

*Not carried – Pour 16, Contre 18, Ne vote pas 0, Absent 5*

**POUR**

Deputy Ferbrache  
Deputy Haskins  
Deputy Helyar  
Deputy Mahoney  
Deputy McKenna  
Deputy Moakes  
Deputy Murray  
Deputy Prow  
Deputy Taylor  
Deputy Trott  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Brouard  
Deputy Burford  
Deputy de Lisle  
Deputy Dyke

**CONTRE**

Deputy Fairclough  
Deputy Gollop  
Deputy Inder  
Deputy Kazantseva-Miller  
Deputy Leadbeater  
Deputy Matthews  
Deputy Meerveld  
Deputy Oliver  
Deputy Parkinson  
Deputy Queripel  
Alderney Rep. Roberts  
Deputy Roffey  
Alderney Rep. Snowdon  
Deputy Soulsby  
Deputy Blin  
Deputy Bury  
Deputy Cameron  
Deputy de Sausmarez

**NE VOTE PAS**

None

**ABSENT**

Deputy Falla  
Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier  
Deputy Dudley-Owen

**The Bailiff:** Members of the States, the voting on Proposition 14A was as follows: there voted Pour, 16 Members; Contre, 18 Members; the same 5 Members were absent and therefore I will declare Proposition 14A lost, which means we now need a recorded vote, please, Greffier, in respect of Proposition 14B, which now comes into play.

*There was a recorded vote.*

*Proposition 14B:*

*Carried – Pour 20, Contre 14, Ne vote pas 0, Absent 5*

**POUR**

Deputy Fairclough  
Deputy Gollop  
Deputy Inder  
Deputy Kazantseva-Miller  
Deputy Leadbeater  
Deputy Matthews  
Deputy Meerveld  
Deputy Oliver  
Deputy Parkinson  
Deputy Queripel  
Alderney Rep. Roberts  
Deputy Roffey  
Alderney Rep. Snowdon

**CONTRE**

Deputy Ferbrache  
Deputy Haskins  
Deputy Helyar  
Deputy Mahoney  
Deputy McKenna  
Deputy Moakes  
Deputy Murray  
Deputy Prow  
Deputy Taylor  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Brouard  
Deputy de Lisle

**NE VOTE PAS**

None

**ABSENT**

Deputy Falla  
Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier  
Deputy Dudley-Owen



Deputy Soulsby  
Deputy Trott  
Deputy Blin  
Deputy Burford  
Deputy Bury  
Deputy Cameron  
Deputy de Sausmarez

3570 **The Bailiff:** Well, Members of the States, in respect of Proposition 14B, there voted in favour 20 Members, against 14 Members, the same 5 Members absent and therefore I will declare Proposition 14B duly carried.

Propositions 15, 16 and 17 taken together, those in favour; those against?

3575 *Members voted Pour.*

**The Bailiff:** I declare all three Propositions duly carried.

And lastly, Proposition 18, as a whole a recorded vote has been requested, so back to you, please, Greffier.

3580

*There was a recorded vote.*

*Proposition 18:*

*Carried – Pour 26, Contre 7, Ne vote pas 1, Absent 5*

**POUR**

Deputy Fairclough  
Deputy Ferbrache  
Deputy Gollop  
Deputy Haskins  
Deputy Helyar  
Deputy Inder  
Deputy Leadbeater  
Deputy Mahoney  
Deputy Matthews  
Deputy McKenna  
Deputy Moakes  
Deputy Murray  
Deputy Oliver  
Deputy Parkinson  
Deputy Prow  
Deputy Queripel  
Alderney Rep. Roberts  
Alderney Rep. Snowdon  
Deputy Soulsby  
Deputy Taylor  
Deputy Trott  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Blin  
Deputy de Lisle  
Deputy Dyke

**CONTRE**

Deputy Kazantseva-Miller  
Deputy Meerveld  
Deputy Roffey  
Deputy Burford  
Deputy Bury  
Deputy Cameron  
Deputy de Sausmarez

**NE VOTE PAS**

Deputy Brouard

**ABSENT**

Deputy Falla  
Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier  
Deputy Dudley-Owen

**The Bailiff:** Members of the States, the voting in respect of Proposition 18 is as follows, 26 Members in favour, 7 Members against, 1 abstention, 5 Members absent and therefore I will declare Proposition 18 also duly carried.

**Procedural –  
Order of business**

3585

**The Bailiff:** Now, once again, I asked Members to consider what happens next and Deputy Meerveld indicated that he has got a motion that he is minded to put.

**Deputy Meerveld:** Thank you, sir.

3590

Yes, I would like to put a motion to Members that we defer debate of the States of Guernsey Accounts 2021 and Billet d'État X, volume 2, containing the other sets of Accounts, until June 13th and that we begin Billet d'État XI in the time remaining.

Thank you, sir.

3595

**The Bailiff:** So the motion is to defer the remainder of the business from the Special Meeting into the Ordinary Meeting that is starting a week on Wednesday. Are there any Members that wish to speak on that motion?

Deputy Soulsby.

3600

**Deputy Soulsby:** Yes, sir.

There is a particular item in Ordinary Business, which means it would be good if we could get to it as soon as possible because we need to get the Schedule for Future Business sorted, so we need to at least be able to get there so that we can get onto that and then we want to lay an amendment so we can move the Reciprocal Health Agreement work further up the Agenda.

3605

So, yes, it would help if we could go onto Ordinary Business.

**The Bailiff:** We cannot leave today's Meeting until we have done the Schedule for Future States' Business, come what may. So we will always do that. It is really a question of whether you want to move the Accounts and looking at those who might be presenting the Accounts as to whether they foresee any difficulties in that deferral.

3610

**Deputy Helyar:** Sir, I do not have any problem.

I mean they are backward-looking anyway. So there is nothing going to change in those or perhaps in the speeches that will be made, so there is very little difficulty that will be caused to Members or myself.

3615

**The Bailiff:** And Deputy Trott?

**Deputy Trott:** Yes, sir.

3620

I make the point, it makes no difference to me I hasten to add, but I make the point on behalf of those who are absent and I made this point in debate yesterday, it is discourteous to Members who are not here for us to change the order in this way. I mean some Members would have chosen not to be here or made a difficult decision in the knowledge that the Accounts followed and the debate around the Accounts is usually short and not particularly stimulating. I just make that point on behalf of absentees, sir.

3625

**The Bailiff:** I do not think there is any need to reply to that, Deputy Meerveld, although it is your motion. I am going to put to Members that Articles 2-8 inclusive, from the Special Meeting, be deferred into the Ordinary Meeting, starting a week on Wednesday, 13th July. Those in favour; those against?

3630

*Members voted Pour.*

3635 **The Bailiff:** I will declare that duly carried. So those items of business will be inserted into the Billet that will hopefully be forthcoming after the Ordinary Meeting.

Now, Members of the States, what I like to do, as you know, when we have two Meetings, one following from the other, is rather than close the Special Meeting and open the Ordinary Meeting with a roll call, but to treat everyone who is already present today as if they are already present in the Ordinary Meeting and we go straight into the business of the Ordinary Meeting.

3640 So I am going to put that motion to you. Those in favour; those against.

*Members voted Pour*

**The Bailiff:** I will declare that duly carried.

3645 Now, do Members need some materials for the Ordinary Meeting that we are now ready to start? Does everyone have a copy of the Schedule for Future States' Business, for example?

*Audio lost for 3 minutes*

### **A tribute to former Deputy Pat Lihou**

3650 **The Bailiff:** ... 1942 and educated at the Ladies' College. She was elected to the States at the 1979 General Election – that is even before Deputy Roffey – as the Deputy for Torteval. She served two terms in that role and, just before the 1985 General Election, she was elected as a Conseiller, one of the first women to achieve that position. Indeed, she was the only new candidate elected by the States of Election in that triennial refresh of the Conseillers' cohort. However, she served in that office for only a few months, before resigning in July 1985, citing other commitments.

3655 During her time in the States, Pat served on a number of the many States' Committees, which existed in those days. These included some important ones and it is a measure of how well she was clearly regarded from the very start of her political career that she was immediately elected as a Member of the Dairy Committee, the Island Development Committee, the Education Council and the Passenger Transport Licensing Authority.

3660 The speed with which she then became President of the first two of those is a further sign of the esteem in which she was held. Throughout her States' service, she participated on the Dairy Committee, being elected its President in 1980. But the position with possibly the highest public profile was as President of the Island Development Committee, responsible then for planning matters. She was elected to that Presidency after only two years in the States.

3665 As others have found, the role may be regarded as something of a poisoned chalice but she was well-regarded in it. In addition, she served for shorter periods as a Member of the Immigration Control Investigation Committee, the Rules of Procedure Committee and the Board of Trade and Industry, as well as one of the executive of the local branch of the Commonwealth Parliamentary Association. And for a short period before her retirement from the States, she was a trustee of the Priaulx Library.

3670 After leaving the States in the 1990s, Pat was a presenter on BBC Radio Guernsey for a number of years, including hosting the station's mid-morning magazine programme. Later, she moved to the Bahamas to be close to her daughter and family. Pat died within just a few days of her husband Geoff. She leaves a daughter, Sarah, three grandchildren and wider family, to all of whom we extend our sincere condolences.

Members of the States, will you please join me in rising for a period of silence to honour the memory of former States' Member, Pat Lihou.

3680 *Members stood in silence.*

**The Bailiff:** Thank you all very much, Members of the States.

## Billet d'État XI

### Statements

#### STATES' TRADING SUPERVISORY BOARD

##### General update – Statement by the States' Trading Supervisory Board

**The Bailiff:** Now moving on, the first Item of Business is a general update Statement, on behalf of the States' Trading Supervisory Board and I invite the President, Deputy Roffey, to deliver that Statement.

**Deputy Roffey:** Thank you, sir.

In preparing this update we thought it would follow the debate on the States' Accounts and therefore decided to keep to subjects we felt less likely to have already been discussed. It just shows you cannot really plan, doesn't it?

However, one development that will not have escaped the Assembly's attention is the recent approval of the Guernsey Electricity tariff application – the first such increase in local tariffs since 2012. We appreciate the timing is not ideal, as we share the concerns, I am sure, all States' Members have regarding the cost of living pressures that many Islanders are currently feeling. Much of that is being driven by external pressures.

But in this instance, external pressures are not the driver for the increase in tariffs. We are actually very fortunate that the current supply contract with EDF has sheltered islanders from the sudden, massive hikes in energy bills affecting homes in the UK. Even before the forthcoming price cap rise in the UK, electricity tariffs there were somewhere in the order of one third higher than here in Guernsey.

What we cannot avoid, however, is the much-needed investment in the core distribution network, which this tariff increase will help to fund. That is not only to maintain current supplies but to also prepare for the additional electricity demand that is anticipated as we transition to a lower carbon future.

This has not been helped by the fact there has been no full tariff review for the past 10 years. Gradual increases might have avoided the need for an above RPI rise now, but Guernsey Electricity is having to play catch up. In real terms, prices are significantly lower than they were 10 years ago.

I am pleased this Assembly finally addressed the regulatory void that prevented this happening sooner, by agreeing to the interim arrangement under which STSB is responsible for approving tariff applications and I can assure Members we have approached that task with all the due rigour and challenge that we promised, and Guernsey Electricity's application was fully scrutinised and assessed against the relevant policies and objectives set by the States.

Action by this Assembly has therefore helped address one area where there was a policy vacuum. We hope the next step will be to agree to the Electricity Strategy – or an electricity strategy – when it is presented to the States later this year by Environment & Infrastructure. That will then provide the clarity and certainty that businesses require to make the investment and will hopefully accelerate

that transition towards a low carbon future. That will certainly help Guernsey Electricity but many other businesses as well.

3720 Moving to the harbours, the appearance of a large jack-up barge and drilling rig in St Peter Port in March did not go unnoticed. It was here to carry out part of the survey of the seabed and underlying rock within the harbour, as we investigate options for a new leisure marina in the pool. That came out, of course, from the future harbour requirement debate last June.

3725 A lot of work has been going on since, most of which is far less visible. It has included engaging with the local leisure marine sector and boat owners; evaluating various technical design options; and carrying out a wider demand survey, to assess the potential economic opportunities that a new marina could bring.

3730 We have been tasked with returning to the States with a delivery plan for any proposed development. But as things currently stand, progress could have been slow because of the local planning briefs for the Harbour Action Areas, being at least 18 months away. However, we have had discussions with the Development & Planning Authority and we have identified a way that could potentially enable a planning application for a pool marina to be considered before then.

3735 It will require some additional public consultation ahead of any States' debate, which was not part of the original plan. Nevertheless we are confident we can progress that while the technical work is also being carried out, but that additional requirements will delay our return to the States slightly. The project team were on course to publish proposals by the end of this year, but we now expect this to be in the first quarter of 2023. However, by taking things a little more slowly it may actually provide an opportunity to deliver results more quickly.

3740 On a related harbour theme, we were obviously disappointed last year when the debate on the future harbour requirements did not provide a clear direction on the Island's long-term port facilities, which would have enabled those planning briefs, amongst other things, to progress before now.

3745 Our harbours continue to face every day operational challenges, and investment opportunities are potentially being missed because there is no clear direction on future port development. The STSB is therefore pleased that the Policy & Resources Committee has said it plans to return to the Assembly with proposals in the near future, which hopefully will provide greater clarity.

3750 Another project that has stalled is the development of a future inert waste site. The Committee *for the Environment & Infrastructure* has advised that the planning inquiry for Longue Hougue South is now on hold, pending the outcome of a debate to be held next year on the future use of Les Vardes Quarry. I know Guernsey Water is currently updating the Water Resources and Drought Management Plan, with a view to providing recommendations to E&I by early 2023.

3755 We are now awaiting further direction from E&I and, in the meantime, preparations are being made to stockpile inert waste at Longue Hougue once the current land reclamation site is complete, which we expect to be around the end of next year. Expect the waste mountain to start growing after then.

3760 The introduction of a two-tier gate fee at the start of 2022 has provided further encouragement to the construction industry to ensure good separation of material, into Longue Hougue. But such moves, although they will buy some time, a decision over the long-term future site, which could take some years to deliver once it has decided where it is going, is now a matter of real urgency. We therefore very much hope that this will be resolved by the Assembly early next year.

3765 When I last updated the Assembly, in March last year, the Island had only recently emerged from the second COVID-19 lockdown. While many sectors of the local economy had been relatively quick to recover from the first and second waves, the impact of the global pandemic was still being keenly felt by Aurigny – as well Guernsey Ports.

3770 In 2021, passenger numbers through the ports were less than 30% of their pre-COVID levels. However, throughout the pandemic, the airline remained ready to restore the Bailiwick's air connectivity as soon as conditions allowed.

Unfortunately, air travel at the start of 2022 was further impacted by the Omicron wave, during which the Island experienced peak infection rates. Passenger movements through Guernsey Airport

in the first quarter were therefore a third down on pre-pandemic levels, yet Aurigny still managed a 20% reduction in losses compared to the same period in 2019. That was achieved through cost control and fleet optimisation efficiencies. The airline subsequently saw a good recovery in the second quarter, realising its first April profit in more than a decade, with 12% more bookings than in 2019, which was before the pandemic.

I am glad to say the improvement in passenger numbers has continued and Aurigny expects to deliver its first quarterly profit, again in more than a decade, in quarter two this year, while managing to keep fare increases to below inflation thus far in 2022.

Aurigny will this year serve more destinations than ever before, as it continues to fill the gap left by the demise of Flybe. It will also continue to offer European weekend breaks and seek to further expand its network. And an announcement here, I think an important announcement, it will also expand its network through a new partnership with British Airways, which I can announce today, I understand that interlining arrangement has already gone live and we are expecting another such partnership with another very significant international airline shortly. This will provide more opportunities for travel to and from the Bailiwick for locals and visitors alike.

The airline's financial performance is showing significant improvement compared to pre-pandemic levels. At the half-year point, despite the impact of COVID on the start of 2022 and ongoing high oil price, Aurigny does remain on-track to achieve its budget for this year, and I am told is confident of achieving break-even next year.

Finally, I would like to reflect on one particular challenge which is impacting on all of our trading businesses. That relates to the very tight labour pool, which has affected the ability of a number of our operations to recruit and retain staff, particularly in skilled trades. This is presenting every day challenges in a number of areas and, just like private industry, we are having to work very hard indeed to overcome it.

I am happy to take any questions, sir.

**The Bailiff:** Well, Members of the States, there is an opportunity to ask questions on any matter within the mandate of the Board.

Alderney Representative Snowdon.

**Alderney Representative Snowdon:** Thank you, sir.

Just a quick question if that is okay. Could I just ask how we are getting on with Alderney runway? There is not much tarmac there at the moment and I just want to know how we are progressing and a potential timeline, if you are aware of anything you could say.

Thank you.

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** There is a two-part answer to that. Significant interim repair is going to be taking place quite soon. As far as the long-term plans, as I think people know, the STSB identified their preferred option some time ago, which was for a runway extension, so-called Option C or C-plus. We have presented our recommendations to P&R.

I can confirm that they agree that the whole life cost of the project, with the extension, is the most cost-effective. We are now working rapidly to bring a policy letter back to the States because that is a significant variation to what the States has approved and as soon as that policy letter is finished, it will be submitted and it will come to this Assembly for debate.

**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Sir, regarding the marina work that has been going on in the harbour. I did ask STSB Rule 14 questions about the possibility of contaminated materials being dredged from the harbour bed as a result of that work and I was told that samples of those materials would be sent

off-Island for analysis. So can the President tell me if STSB have received the results of that analysis yet, please?

**The Bailiff:** Deputy Roffey.

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**Deputy Roffey:** I am not absolutely sure but I will check up on Deputy Queripel's behalf.

**The Bailiff:** Deputy Kazantseva-Miller.

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**Deputy Kazantseva-Miller:** Thank you, sir.

The Airport has just recently installed a new Customs search system, I do not remember the exact name for it, when you go through security, you know, Customs security system, the bigger trays (*Interjection*) – not baggage handling but really the search system – but I have noticed that there is just one system. Are we planning to install a second one? What happens in times of failure of that one system?

3835

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Yes, it is still a work in progress. It will be finished next month. There will be two units. It is the central search area, what I think the Deputy is referring to. We replaced one. We are now working on the other one. We have been very careful to make sure that we have not gone down to one during peak periods like half-terms and we will be up and running – I know the Colleges have already broken up – but for the normal summer holiday period by then we will have completed the project and will be back to having two machines.

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**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Sir, I would like to ask, while calling for a whopping 9% increase to electricity consumers, concern by the public has been issued with regard to the inflated bonuses which have been granted – £1 million, I believe – to four senior directors. Why was there oversight to be fully transparent and accountable to the people with respect to this?

3850

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** That is just factually incorrect. Any performance-related pay was an absolute fraction of that cost. The £1 million is the total remuneration package for the executive team at Guernsey Electricity. I have to say that, in relation to all of the incorporated businesses, we flagged up that we want to discuss with them the best ways for more transparency over executive pay. I think that is the way the corporate world is going generally and we are going to be engaging with them to make sure that happens because these sorts of rumours come out of where people are not aware of the true facts. So we want to address that.

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**The Bailiff:** Deputy Inder.

**Deputy Inder:** Sir, recently Guernsey Waste announced a 25 pence charge for recycling bags. That has come as some surprise because quite clearly it is counter intuitive. Could the Deputy explain how that actually got out of the committee as an announcement and whether he realised the likely impact that would have on the successful recycling streams and whether it might have been better to do something differently, possibly again raising the bin sack prices, or doing something else on the standard charges?

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**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** We have not announced the introduction of charges for recycling. What we have announced is a policy letter coming to the States, with a set of proposals which the States will be able to vote on. Central to that is a recognising of the fact that the user-pay model, which was originally envisaged, simply does not work, when the whole purpose of the strategy is to actually minimise throughput and therefore minimise income. That is not a business model that stacks up.

It will be entirely in the hands of the States. We felt that if we were asking for the first time for an injection of taxpayers' money, it was responsible to balance that with some increase in user fees as well. It will be entirely a matter for the States if they want to carry on with free recycling or they do not want to put up the cost of black bags or they do not want to put up the cost of standing charges, we will lose no sleep over it but be in no doubt it would mean a bigger, then, contribution from general revenue.

**The Bailiff:** Alderney Representative Roberts.

**Alderney Representative Roberts:** Sir, would Deputy Roffey join me in sharing the results from Aurigny, recently, how they have brought it down from what it was a few years ago, four, five, six years ago when it was, I do not know, hundreds of millions? And it is down to the team that you have set there in place and I think it is absolutely brilliant because it is saving Guernsey money every day and it can help bring back the cost of travel out of Guernsey. That will help bring down the cost of travel.

Also, how integral to that part, for bringing them down even further, would you see a one-type operation, which would save money through the whole operation, not just Alderney, let's forget Alderney, but it will save Guernsey, through the whole operation, a heck of a lot of money. I have never seen such a transition. I have never seen such a transition and I would really like to commend what you have done –

**The Bailiff:** Alderney Representative Roberts, I am afraid you have had your minute.

**Alderney Representative Roberts:** Thank you, sir.

**The Bailiff:** Deputy Roffey to reply to those questions, please.

**Deputy Roffey:** Yes, it is really encouraging. I think there is a real commercial attitude of driving down costs at Aurigny at the moment. I do not want to make too much of it yet. One swallow does not make a summer. I have not yet won my 50p bet with Deputy Fairclough! But it is really encouraging at the moment. There are many pitfalls falling ahead, possibly, another wave of COVID I hope not – but you never know, oil prices and so on.

But simplification of everything they do and driving down costs is at the heart of Aurigny's ethos and that actually ties in with the question of the Alderney runway extension. It might even tie in with getting rid of the Embraer, which I know some people will feel a pang of regret over, but the simpler the Aurigny operations can be, the more cost-effective it will be and it is not aiming to make any significant profit. If it does, if it gets to a profitability, most of that profit will be ploughed back in to try to keep fares down for the travelling public, both in and out.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** I know this might seem a bit operational but I think it is important for tourism and other areas, but recently I went to Jersey and was impressed that they had reopened their harbour restaurant, cafeteria and shops. Will we see a revamping, at least temporarily, of our harbour terminal, because it does look a bit of a dead zone at the moment, with relatively little commercial activity going on? It is not a great window for our Island, it could be argued.



3925 **The Bailiff:** Deputy Roffey.

**Deputy Roffey:** I understand that point and I am not sure exactly where things stand in that respect but I have to make the point that because of what has gone on with COVID, our ports have been losing, and are losing, a great deal of money. So if there is a cost-effective way of re-establishing that through the right lessees or whatever, then absolutely great. But, again, I would have to update Deputy Gollop on exactly where the plans are.

**The Bailiff:** Deputy Fairclough.

3935 **Deputy Fairclough:** Thank you, sir, and I thank the President of STSB for his update. With reference to the pontoon marina work, he suggested there could be some slippage to that but I would like to ask Deputy Roffey if this project remains on time and within budget.

**The Bailiff:** Deputy Roffey.

3940 **Deputy Roffey:** No. It is not on time.

The request was to produce a report by the end of this year. In order to have it considered as a planning application, because the Harbour Action Areas are not in place and probably will not be for another 18 months, what the DPA have said is, 'We can consider this as a planning application in its own right but only if you go out to public consultation.' Because obviously part of the Harbour Action Area plans was going to be a public hearing, where people would be able to put their views.

3945 So it is going to delay it but, as I said, I think it is only by a few months and we expect the report to be ready by the first quarter of next year. As for budget, I think it is within the budget for the preparation and that is a pretty hefty budget of about £1.8 million, from memory. What the actual budget will be for construction, we will have to wait and see when the technical appraisal has actually been completed.

**The Bailiff:** Deputy Dyke.

3955 **Deputy Dyke:** Thank you, sir, and I thank Deputy Roffey for his presentation. Could I ask a question regarding the disposal of food waste? Has consideration been given to the economics of an anaerobic digester, (**Deputy Roffey:** That is where it goes.) which would lead to a sort of fertiliser produced and seems greener to me than the current arrangement?

3960 **The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Yes it has.

3965 In fact, that is exactly where it goes at the moment, to an anaerobic digester but simply not on-Island at the moment. But we have just gone out to expressions of interest because that contract will come up in the not-too-distant future and we have had a number of expressions of interest from people wanting to deal with food waste. We have engaged an independent expert to go through and assess them, which is best value for money, best environmental option, etc. So, yes, all options are on the table.

3970 **Deputy Dyke:** Thank you.

**The Bailiff:** Deputy Vermeulen.

3975 **Deputy Vermeulen:** Could the President of the States' Trading give me an insight into how the Airport is performing financially now? We know Flybe is no longer servicing the Island. And could we have a financial comparison projected for this year compared with pre-COVID levels?

Thank you, sir.

**The Bailiff:** Deputy Roffey.

3980

**Deputy Roffey:** Well, as far as the quarterly results, we have only had one so far. I could say the Airport is losing money. Obviously, it is losing a lot less than it was during the COVID period because passenger numbers are starting to come back but they are still well below the period before and therefore it is not performing financially as well as it was prior to COVID. As and when figures become available they will be available.

3985

**The Bailiff:** Deputy Blin.

**Deputy Blin:** Thank you, sir.

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Continuing on from Deputy Vermeulen, regarding the Airport, bearing in mind Aurigny is probably the biggest user of the runway and the charges, landing fees, etc., and bearing in mind there are increased costs associated with Aurigny and flights and bearing in mind the season we are trying to bring more people here, has it ever sort of been considered to do, bearing in mind the Airport belongs to the States of Guernsey as well as the airline, to use that sort of basis to try to reduce costs?

3995

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Sir, just to get some clarity, to use what to reduce costs?

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**Deputy Blin:** On the runway costs, the fees for landing and all the aspects there, a lot of cost goes on to the airline and passengers, is there an option to use that as a way to do costs?

**The Bailiff:** Deputy Roffey.

4005

**Deputy Roffey:** I think that goes, really, beyond the mandate of just STSB. If there is an economic enabler and a strategy for the Island we want to bring down air fares and we want to say we will not charge Aurigny the landing charges we do at the moment so they can bring down fares, well fine. But then general revenue will have to make up that gap. That may actually be a far more cost-effective way of getting a low-cost operator, and it would be Aurigny, in and out of the Island than extending a runway in the hope that one might come. But that is a debate for another day.

4010

**The Bailiff:** Alderney Representative Snowdon.

**Alderney Representative Snowdon:** Thank you, sir.

4015

Just a question to the President, again. Regarding GreenAir proposals with Islanders, electric Islanders and hydrogen planes, are you aware of any partnership with Aurigny or have any view about this proposal?

Thank you.

4020

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** No.

I am very much aware that no such arrangement exists and Aurigny would very much like it to be known, not in any kind of aggressive way or dismissive way, but they are not involved in any way in co-working with GreenAir.

4025

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Sir, back to recycling bags.

4030 When this was announced on Channel TV, Deputy Roffey commented, he said it was a mistake  
of the States. Would he accept it was not a mistake of the States, it was actually a mistake of the  
advice in the office and in the policy letter backing the Waste Strategy in 2016; and, again sir, on a  
similar question if I can sneak that question in, why have we now got a policy letter, which clearly  
4035 adds cost to the actual recycling elements of which, quite obviously, it is going to massively impact,  
if successful, the great work that the Islanders have been doing separating – not recycling – their  
waste?

**The Bailiff:** Deputy Roffey, two questions.

4040 **Deputy Roffey:** Well, the States did make the decision on, as I think somebody said earlier in  
this Meeting, officers' advice, politicians decide. I think it was Deputy Inder who said that. So it was  
the States' mistake, I think, in thinking that this model of a user-pay alone would work. So I am not  
going to go back and attack officers who probably worked for public services that actually really  
drew up this scheme originally. I do not know who they were but all I can tell you, as the inheritor  
4045 of the problem, it is a problem that does not work and something needs to be done about it.

We have tried every which way to try and do something other than ask the taxpayer for money  
because we know the state of general revenue at the moment. But there is no way to do that. As I  
say whether or not to charge more or less or nothing for waste streams is entirely legitimate and  
that will be ... we are putting forward what we believe is a responsible package but we are totally  
4050 relaxed if the States decide that the funding can be a different mix between general revenue and  
the user. What I do know is that the bills will have to be paid and it will come out of one pocket of  
the Islanders, either as users or as taxpayers.

**The Bailiff:** Deputy Parkinson.

4055 **Deputy Parkinson:** Sir, given that in 2004, when the Island was faced with a proposal to  
introduce a 70,000 tonne per annum Lurgi incinerator we were forecast to be producing 70,000  
tonnes of putrescible waste and next year we will be producing only 12,000 tonnes of putrescible  
waste, would the President agree with me that the policy, far from being a failure, has been a  
4060 resounding success?

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Yes, first of all, I think I voted for Lurgi!

4065 Everybody is allowed one mistake, aren't they? Secondly, yes, I do. The financial model was not  
successful. The strategy has been absolutely superb. It has exceeded all of our expectations but the  
model of expecting that it would be able to be funded from user charges when the whole strategy  
was to try and say ... what kind of business says, 'We want as little business as possible, please do  
not give us your money! We do not want you to ...'? It doesn't work, does it?

4070 It might have worked if it had been less successful. I am glad it has become a financial problem  
but the States are going to have to sort out that conundrum when they debate our policy letter.

**The Bailiff:** Deputy Inder.

4075 **Deputy Inder:** Of the waste streams, which I think green waste is one of them, it is an expensive  
freebie and I wonder if the committee has given any consideration as to why people are taking one  
single bag from down Torteval all the way to L'Ancrese; whether a green waste charge might be  
acceptable to alleviate the pressure?

In the policy letter, are we going to get a clear indication of which of the waste streams are the  
4080 most expensive?

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Well, the policy letter has been published. If any Deputy would like some supplementary information to help them in making their decision we are an open book committee, as far as we can be, wherever we are able to be, and I think the costs of the various waste streams and certainly the nearest recyclates and I think that would actually be a really useful suggestion because I think some people in Guernsey think not only does it cost nothing to recycle but we are actually making money out of their recycling when the reality is it is costing us a great deal of money.

We do not mind that because it is the right thing to do but I take the request on board and I will take that back. I think publishing that will be really quite useful.

**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Sir, the value of recyclates has been going up quite significantly and I just wonder whether the charges or the money that the Island retrieves from its recyclates is constantly re-evaluated so that we are getting the very best price, because it seems to me that we could be actually looking at that rather than further changes to the public.

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** I was not involved in drawing up the individual contracts for the various streams from the recyclates and I am not sure whether they have got any kind of variable element in relation to, although I may be asked a question that will clear that up for him. Just do not forget, though, that in a way the policies behind the whole Waste Strategy lay with E&I. All we do is basically operate it. So that is an interesting question but obviously, when any contract comes up for renewal it could go up or down, depending on the residual value of the material being recycled. But whether they actually vary month by month, depending on the spot price on the market, I am afraid I do not know. I think I am across both of my briefs pretty well but I do not know that detail.

**The Bailiff:** Well, Members of the States, that is 20 minutes of questions. I am not minded, given the time today, to extend that 20-minute period. Instead we will move onto the other general update Statement, which is on behalf of the Transport Licensing Authority and I invite the President, Deputy Gollop, to deliver that.

## TRANSPORT LICENSING AUTHORITY

### General update – Statement by the Transport Licensing Authority

**Deputy Gollop:** I have got the longest speech ever! No, I have not. Ah, it has disappeared on me now! Here it is.

To begin with, I would like to explain that the duties and responsibilities of the Transport Licensing Authority are limited to the determination of applications for air route licenses. Under the quasi-open skies policy approved by the States, a Guernsey air transport licence is only required by airlines that operate routes that are designated as lifeline routes.

The Alderney and Gatwick routes were originally designated as lifeline routes, however, in June 2021, the Committee for Economic Development made Regulations designating the Southampton route as an additional lifeline route.

4125 As a consequence, the airlines operating that route required an air transport licence and those airlines were Blue Islands and Aurigny. Blue Islands held a licence for the Southampton route prior to the approval of the quasi-open skies policy and this dormant licence was reactivated. Aurigny did not hold a legacy licence and therefore made an application to the Authority. After consideration of the application and the representations made in respect of that application, the Authority agreed to grant a licence to the airline for the Southampton route.

4130 The Authority has received no other applications in respect of lifeline routes.

**The Bailiff:** Well, Members, there is now an opportunity to ask up to 20 minutes of questions to the President of the Transport Licensing Authority on any matter within its mandate.

4135 Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Would the President of the TLA be minded to propose that we do not need a TLA?

Thank you.

4140

**The Bailiff:** Strictly speaking, that is probably a question for the Policy & Resources Committee but I will let the President answer.

4145 **Deputy Gollop:** Yes, I think our committee actually is awaiting a bigger review of Government and changing times and we would be willing, if consulted, to actually look at licensing of ferry routes and public transport and so on, maybe. But personally I would think a Ministry of Transport, or something, would be a better model than this quasi-regulatory model. But as you rightly say, it is not really my question to answer.

## Questions for Oral Answer

### POLICY & RESOURCES COMMITTEE

#### Banking services in Alderney – Retention of adequate services, electronic digital cash machines and Guernsey's duty to intervene

4150 **The Bailiff:** As I do not see any other Member rising, Deputy Gollop has got off lightly but we move swiftly into Question Time proper and the only Member seeking to ask questions is Deputy Gollop.

So your first questions, please, to the President of the Policy & Resources Committee, please.

4155 **Deputy Gollop:** I am going to keep this brief, sir, but thank you.

My first question is, given the continuing support and commitment the Policy & Resources Committee gives to Alderney, will the Committee seek to ensure the northern isle retains adequate community banking and financial services including electronic digital cash machines?

4160 **The Bailiff:** And Deputy Ferbrache, the President, to reply, please.

**Deputy Ferbrache:** Sir, as in Guernsey, it is a commercial decision for individual banks about how they offer services to their clients and where they have branches and cash machines. It would

be for the States of Alderney to decide whether to discuss with any bank about having a physical presence in the Island and to outline any related employment concerns.

**The Bailiff:** Supplementary question, Deputy Gollop.

**Deputy Gollop:** My supplementary would be: ironically a few years ago, the States of Alderney were banking with a rival banking group and that bank closed down their branch, much to their chagrin and my mother at the time as well; my question here though is would the Policy & Resources be prepared to work with the States of Alderney about the bank having a physical presence and the related issues?

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Well I think the main question already answered it. The answer is no. Alderney is an independent island. They want to retain their independence. There really is only so much that Guernsey can do. Alderney is not the baby of Guernsey. It is a separate island. They must do it for themselves.

**The Bailiff:** Is this a second supplementary, Deputy Gollop?

**Deputy Gollop:** My second supplementary is, given the President's answer, which can be justified perhaps in constitutional terms, is there not now a need to work out where Guernsey's economic responsibilities for Alderney begin and end?

**The Bailiff:** I am not sure that that is a question that arises out of the answer to the principal question, Deputy Gollop, but if Deputy Ferbrache is minded to comment I will let him.

**Deputy Ferbrache:** Yes, sir.

The answer is no. We know what our financial responsibility for Alderney is. It is considerable. But Alderney now has to start being more realistic in relation to its expectations. I again repeat, Guernsey does a great deal for Alderney. It values its relationship with Alderney but Alderney is a separate island and has its separate responsibility and must act in its best interest.

**The Bailiff:** And your second question to the President, please, Deputy Gollop.

**Deputy Gollop:** Thank you, sir.

Does the Committee have a duty to intervene and ensure Alderney remains and strengthens its place as a financially viable self-governing community with appropriate economic infrastructure?

**The Bailiff:** And Deputy Ferbrache to reply, please.

**Deputy Ferbrache:** No, the Committee does not have a duty to intervene.

**The Bailiff:** I do not see anyone rising to even attempt a supplementary question out of that answer, which does not surprise me. Shall we lay some legislation?

**LEGISLATION TO BE LAID BEFORE THE STATES**

**The Immigration (Bailiwick of Guernsey) (Amendment No. 2) Rules, 2022;  
The Charities etc. (Commencement and Transitional Provisions)  
(Guernsey and Alderney) Regulations, 2022;  
The Charities etc. (Amendment, Exemptions, Governance and Specified Amount) (Guernsey  
and Alderney) Regulations, 2022**

4210

**The States' Greffier:** The following legislation is laid before the States: No. 27 of 2022 – The Immigration (Bailiwick of Guernsey) (Amendment No. 2) Rules, 2022; No. 30 of 2022 – The Charities etc. (Commencement and Transitional Provisions) (Guernsey and Alderney) Regulations, 2022; No. 31 of 2022 – The Charities etc. (Amendment, Exemptions, Governance and Specified Amount) (Guernsey and Alderney) Regulations, 2022.

4215

**The Bailiff:** Well, Members of the States, we note that all three of those Statutory Instruments have been laid before this Meeting. I have not received any motions to annul in respect of any of them but there is still an opportunity next time

**LEGISLATION FOR APPROVAL**

**COMMITTEE FOR HEALTH & SOCIAL CARE**

**1. The Human Tissue and Transplantation  
(Bailiwick of Guernsey) Law, 2020  
(Commencement) Ordinance, 2022 –  
Proposition carried**

4220

*Article 1.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Human Tissue and Transplantation (Bailiwick of Guernsey) Law, 2020 (Commencement) Ordinance, 2022", and to direct that the same shall have effect as an Ordinance of the States.*

**The Bailiff:** Now, Members of the States, Deputy Brouard, are you keen to deal with the next item?

**Deputy Brouard:** Please, sir.

4225

**The Bailiff:** Yes, Greffier.

**The States' Greffier:** Article 1 – Committee for Health & Social Care – the Human Tissue and Transplantation (Bailiwick of Guernsey) Law, 2020 (Commencement) Ordinance 2022.

4230

**The Bailiff:** Deputy Brouard, anything to say?

**Deputy Brouard:** Very little, sir.

4235

I think the main point to get across is that a single person can save or improve up to nine people by way of donating their organs. We have got a soft opt-out system for Guernsey and it will come into force on 1st January and I would recommend for everybody to support it.

Thank you, sir.

**The Bailiff:** Deputy Inder.

4240 **Deputy Inder:** Sir, I will not be supporting this.

I am never a fan of deemed consent and I am particularly unhappy with the fact that we have got to sign up to another jurisdiction's organ donation for people to opt-out. This piece of legislation should have come with a Guernsey based organ donation system and I do not like the idea of me having to sign up to an English NHS, or any other Member. So I cannot support it in this state.

Those are my only reasons. I understand the reason for it. I do not do deemed consent and I certainly do not think we should be asking our Guernsey citizens to sign up and trust a UK opt-in, opt-out system.

4250 **The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** I do not like the whole thing. I accept the point that Deputy Brouard has made about one body could save many lives and I would be more than happy to make a conscious decision to give organs, etc. I do not like it being the presumption that you will have to do it unless you exclude it. So I am not voting for it.

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you.

4260 I do believe you can also speak to your doctor about it and you can say that you do not wish to be on that and they will make your wishes known. I am pretty sure that is correct, if Deputy Brouard could just confirm that, that would be great.

But I just think that this is such a wonderful thing that my body – probably not mine, actually, it is ruined already! – that we can do this and we can save so many other lives. It is really a selfless thing to do.

Thank you.

**The Bailiff:** Deputy Roffey.

4270 **Deputy Roffey:** I am not sure anybody wants my liver but apart from that I am very much in favour. I understand the philosophical points of people objecting to an opt-out scheme but the fact is that – it is going to be very well advertised – anybody who feels remotely strongly about their not wanting to participate would be able to opt out and the reality on the ground, when we get away from the philosophical points, what Deputy Ferbrache always wants, what actually happens in the real world.

In the real world people who have no objection whatsoever to their organs being harvested, if that is not an unfortunate word after their death – I think that is the right word – no objection whatsoever but most of them, most of the public do not get around to actually opting in. As a result, many people are dying prematurely because there are no organs available for them when they need an organ transplant, despite the fact that actually the vast majority of the population do not have any objection and anybody that does would be able to opt out.

In an ideal world we would all actively opt in and I would actually prefer that, philosophically I understand that, but I am going to vote as far as outcomes are concerned. This is going to improve outcomes. It was proven from other places that have done it. It improves outcomes, absolutely. I was going to use the word exponentially, I am creeping into misusing that word because other people do. It would improve outcomes enormously and I think there is just an overwhelming reason to vote for this.

**The Bailiff:** Deputy Soulsby.



4290 **Deputy Soulsby:** Thank you, sir.

I totally understand Deputy Inder did not agree with this last time but I think that a response was provided. We are far too small to have our own organ donation scheme. We already are part of the NHS organ human transplant system. Members of our community, Guernsey residents, benefit from it.

4295 I have just dug out my speech from when we had the original debate and said at that time, and this was 20- – oh, God, it was around COVID time – we were still online at the time, anyway, so it must have been two years ago, possibly. It says in the last two years, three Guernsey residents have become donors and 12 have received an organ transplant. Those will be transplants from people in the UK. If we want to just have our own scheme, then nobody in effect will have the opportunity  
4300 because you have got to have the donor and the ‘donee’ available at the same time.

We are such a small community; if we just stuck to our own small, little Island, a lot of the potential transplants would not happen because we would not have the donors and the ‘donees’ available anyway. So we are benefiting from the UK and the UK are benefiting from us. If we set up our own, the cost of it and it just would not make sense.

4305 We are part of a family. It is like saying we must not have cancer care in Southampton, we should have it all online, all the benefits we have there. We use the NHS, we use other parts of the UK. We pay for it, yes, part of here we do not. I mean it is all done as part of a package. We should be really quite grateful for that, to be honest.

Back in the time we talked about the presumed consent and use of presumed consent system  
4310 was supported by Nobel Prize winners Richard Thaler and Cass Sunstein, who developed the concept of nudge theory and very much supports that in terms of how many more people will donate, that the default mattered.

When participants had to opt in only 42% did. But when they had to opt out, 82% agreed to be donors. It is a difference about agreeing to be donors. Deputy Oliver talked about going to a GP to be able to opt out. You can opt out directly through the NHS website, the organ donation scheme.  
4315 It is very easy for people to do and I think this is just to be able to enable things to commence. So there is going to be more communication around this before it starts so people know what they need to do before it starts.

I think it is an absolutely fantastic thing to do. I was very proud that we were able to get this  
4320 through the States last term and very grateful to those officers and the Committee at the time, which included Deputy Prow and former Deputies McSwiggan, Tindall and Tooley, who put in a lot of work on this and there is a lot of research that has gone in behind this.

If we do not support it, we will be going against all other parts of the UK, as well, so if we want to be an outlier on that point, well so be it. But I think it would be definitely a retrograde step, so I  
4325 do ask Members to support this legislation.

**The Bailiff:** Deputy Trott.

**Deputy Trott:** Sir, I will say very briefly, I always think it is a genuine privilege to be a Member  
4330 of a legislature when matters of this type, genuine matters of life and death, come before us. But the only question that I am unable to answer myself is why the Commencement Ordinance is 1st January 2023? Why is there a six months-plus lead-in period. It is, after all, the 2022 Commencement Ordinance and there must be a reason for it, that it is not swifter than that and I ask primarily because of the ...I give way to Deputy Soulsby.

4335

**Deputy Soulsby:** Thank you, Deputy Trott, for giving way.

I was trying to answer it in what I just said. There will be a lead-in time to ensure there is proper communication with the community and everybody knows what they need to do.

**Deputy Trott:** Yes, you did say that. But a lead-in time of more than six months is  
4340 uncharacteristically long, particularly bearing in mind this is, literally, a matter of life and death in

some cases. But I accept the answer, sir, and wait for 1st January 2023 with genuine, what is the word – I cannot think of the word, I think everyone knows what I mean, nonetheless.

4345       **The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Sir, I am all in favour of organ donation but I am with Deputy Inder on this. This should all be done on-Island. I am voting against it and I ask for a recorded vote, please.

4350       **The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir.

4355       I think I am right in saying that it would be helpful if the President could perhaps confirm that families of people who have died will still have some say, especially in the event that they believe that their relative or loved one did not wish to donate their organs. But I think that might help assuage some of the concerns. Certainly my personal view is, again, I think this is a really positive step in terms of real world outcomes and I am really pleased to be able to support it today.

4360       **The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Sir, many would prefer, actually, an opt-in arrangement rather than what is being suggested. (**A Member:** Hear, hear.) Therefore I think it is important that we have a recorded vote on this so that Members can make the adjustments accordingly.

Thank you, sir.

4365       **The Bailiff:** Deputy Dyke.

**Deputy Dyke:** Thank you, sir.

4370       I am slightly, not annoyed, slightly concerned about the concept of being deemed to have agreed to something when you actually might not have addressed your mind to it. I could probably be made happier on this if you could explain what sort of advertising is going to go on to tell people what is happening, to tell them what the consequences are and to give them clear instructions as to how to opt out if they want to. Publication in the newspapers, leaflets at the doctors, is all that contemplated?

4375       Thank you.

**The Bailiff:** Deputy Bury.

**Deputy Bury:** Thank you, sir.

4380       I will be very brief. I do not want to gazump my President on his response but just to answer the question that Deputy Dyke has just laid and in response to Deputy Trott also, it is an uncharacteristically long lead-in time to allow for that quite serious marketing campaign that will take place and the NHS have allowed us to use the materials that they use so that we are not having to reinvent the wheel there.

4385       So there will be plenty of information, the type that you have just suggested, over an extended period of time, so that people know exactly what they have to do if they feel passionately enough that they would like to opt out and, as people have said, that will not be definitive. If families absolutely know or even had an indication that the person did not want to donate then that will be accepted.

4390       Thank you, sir.

**The Bailiff:** Deputy Fairclough.

**Deputy Fairclough:** Thank you, sir.

4395 I shall be supporting this and like a lot of other Members in the Assembly I was not here for the previous States' debate on this matter but I just wanted to ensure, and I am sure this has been thought about, that the logistical challenges of transporting organs to and from Guernsey has been thought through.

Thank you, sir. I give way to Deputy Soulsby.

4400

**Deputy Soulsby:** I would just assure Deputy Fairclough that that goes on now. It is all part of a system that is really well-designed. It is part of a system that is already in place. So we have teams that come over here to get organs and how we deal with people who need an organ donation in the UK. It is all done very professionally, very smoothly.

4405

**The Bailiff:** Deputy Blin.

**Deputy Blin:** Thank you, sir.

4410 Just one small question. Is the cost of the transportation of the organs, is it in effect the HSC or is it through the National Health Service, because I have been involved in some flights carrying organs.

**Deputy Soulsby:** It is free.

4415

**Deputy Blin:** Thank you.

**The Bailiff:** Waiting for a few more Members to stand up to see if we can beat the record from last time but it does not look like it, so I will turn back to the President to reply to the debate please. Deputy Brouard.

4420

**Deputy Brouard:** Thank you, sir.

4425 Can I make it very clear to everyone. The decision to donate or not as the case may be, will remain yours and those of our fellow Islanders and I will encourage all Islanders to register their choice on the NHS register and let their families and friends know what they have decided. For those who do not register a decision, family members will be consulted to establish your wish in relation to your organ donation and I think that partly takes care of what Deputy Ferbrache was mentioning.

4430 The officers of the Committee are finalising the Code of Practice to support the implementation of the new Law and I think that basically goes back to Deputy Trott and Deputy Dyke's issue. There will be a lot of information coming out over the next six months to prepare Islanders for the change and also the position will be that the UK regulator, the Human Tissue Authority, which sets out the key roles of family members will continue to have in organ donation.

4435 The legislation will help save lives by fulfilling the wishes of those who are happy to donate their organs when they die, while at the same time respecting the decision of those who do not. I therefore will be asking Members to agree to the Commencement.

I just want to now just pick up on some of the individual pieces. Deputy Inder says he cannot sign up to it because it is part of the NHS. Well that is fine but will Deputy Inder take the same stance when we need to fly him to Southampton for his operation? Will Deputy Inder take the same stance when he needs his triple bypass operation by surgeons in the NHS?

4440

4445 This is the issue. We are linked to the NHS, they serve us very well and I think the idea of us to run our own system of organ donation would be absolutely fraught with difficulty. How will, we have got something like at the moment, people who have been referred to the UK for organ transplants at the moment, over the last five years, we have had people looking for three liver transplants, three heart transplants, three lung transplants and 13 kidney transplants, and we have got another 15 kidney transplants who are about to go onto the list.

Who is going to co-ordinate from here with somebody in Scotland that may have a particular organ that we are looking for? Or someone in Middlesex, or Manchester. It is just not going to happen. We really do need to have one central system and we need to be able to plug into that and I think that works very well to our advantage.

4450 Deputy Oliver asked can people opt out. Of course you can. You can opt out in two different ways. The main way of opting out is by registering on the NHS site that you do not wish to give your organs. I do not suggest this as a way, but it is perfectly possible, but if you advise your family that you do not want to have your organs used to help save other people's lives, make sure you tell your family members and they will be in a position to say, 'Actually, no, dad did not want his organs donated.' And we will respect that. That is another way, this is what they call the soft opt-out.

4455 Deputy Soulsby, thank you very much indeed for your support in this. I think we touched on Deputy Trott's. Deputy Queripel was against it as again it was not on-Island. Deputy Queripel is also one of those who is also making sure we keep costs low. If we have to set up our own system of running an organ desk on-Island, where is the money going to come from? Where are those resources going to come from? So again I would ask him just to think back. We need to work in partnership. It is teamwork between ourselves and the NHS.

And as Deputy de Sausmarez, I think, mentioned, loved ones will always have the final say, unless of course, you have opted in to the system. In which case, your original opt-in will count.

4465 Of course the whole issue, again I think this picks up on Deputy de Lisle's one, this system will give the opportunity to save more lives and improve more lives by doing so, by having this automatic opt-in gives us the chance to have more organs available to help us, to help our family to help our loved ones. And until you are in that position it is very difficult for you, I think, to understand how challenging it can be for families who are trying to find that kidney transplant or that lung transplant or heart operation.

4470 Deputy Fairclough, I think, mentioned the logistical challenges and I think that has been taken up by Deputy Soulsby. And Deputy Blin, I do not know the cost of transport, but Deputy Soulsby, apparently, advises that it is nil.

4475 So I would ask all Members to support this. I think it is really important that, if we are serious about trying to make the most opportunity of our short time on this planet, this is one thing we can actually positively do towards that.

Thank you.

4480 **The Bailiff:** Well, Members of the States, there has been a request for a recorded vote as to whether you are going to approve this draft Commencement Ordinance. Over to you please, Greffier.

We are shifting, because it is a new Meeting, Greffier.

*There was a recorded vote.*

*Carried – Pour 27, Contre 4, Ne vote pas 0, Absent 8*

**POUR**

Deputy Haskins  
Deputy Helyar  
Deputy Kazantseva-Miller  
Deputy Mahoney  
Deputy Matthews  
Deputy McKenna  
Deputy Meerveld  
Deputy Moakes  
Deputy Murray  
Deputy Oliver  
Deputy Parkinson  
Deputy Prow  
Deputy Roffey  
Alderney Rep. Snowdon

**CONTRE**

Deputy Inder  
Deputy Queripel  
Deputy de Lisle  
Deputy Ferbrache

**NE VOTE PAS**

None

**ABSENT**

Deputy Leadbeater  
Deputy Le Tocq  
Alderney Rep. Roberts  
Deputy St Pier  
Deputy Taylor  
Deputy Dudley-Owen  
Deputy Falla  
Deputy Gabriel

Deputy Soulsby  
Deputy Trott  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Blin  
Deputy Brouard  
Deputy Burford  
Deputy Bury  
Deputy Cameron  
Deputy de Sausmarez  
Deputy Dyke  
Deputy Fairclough  
Deputy Gollop

4485 **The Bailiff:** Members of the States, the voting on that single Proposition as to whether to approve the draft Commencement Ordinance is as follows: there voted in favour, 27 Members; against, 4 Members; 8 Members were absent at the time of the vote and I declare the Proposition duly carried.

#### **Procedural – Order of business**

4490 **The Bailiff:** Now Members of the States, it has just gone half-past five, what I am minded to do now is simply to move the Schedule for Future States' Business, because we have just gone past the time, which means the two Items that are in between, Commissioner for Standards and proposed legislation for the regulation of notaries public, would be deferred into the Meeting to commence on 13th July, unless anyone desperately wants to move a motion to extend the sitting to deal with something other than the Schedule for Future States' Business.

We will take that as a no.

#### **POLICY & RESOURCES COMMITTEE**

##### **4. Schedule for Future States' Business – Proposition (as amended) carried**

*Article 4.*

*The States are asked to decide:-*

*Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 13th July 2022, they are of the opinion to approve the Schedule.*

*STATES OF DELIBERATION SCHEDULE for FUTURE STATES' BUSINESS (For consideration at the Ordinary Meeting of the States commencing on the 29th June 2022)*

*Items for Ordinary Meeting of the States commencing on the 13th July 2022*

*(a) communications by the Presiding Officer including in memoriam tributes;*

*(b) statements;*

*(c) questions;*

*(d) elections and appointments;*

*P.2022/59 – Committee for Home Affairs: Independent Monitoring Panel – Appointment of New Member*

*P.2022/61 – Overseas Aid & Development Commissioner – Appointment of Commissioners*

*(e) motions to debate an Appendix Report (1st stage);*

(f) articles adjourned or deferred from previous Meetings of the States;  
(g) all other types of business not otherwise named;  
*Public Service Vehicles (Minimum Age) Ordinance, 2022;*  
*No. 35 of 2022 – The Waste Management Services (Charging) Regulations, 2022;*  
*No. 40 of 2022 – The Customs and Excise (Safety and Security) (Bailiwick of Guernsey) (Amendment) Regulations, 2022*  
*No. 41 of 2022 – The Immigration (Bailiwick of Guernsey) (Amendment No. 3) Rules, 2022;*  
*No. 42 of 2022 – Waste Disposal and Recovery Charges Regulations, 2021 (Amendment) Regulations, 2022;*  
*No. 43 of 2022 – The Financial Services Commission (Fees) (Amendment) Regulations, 2022;*  
*P.2022/51 – The Beneficial Ownership (Miscellaneous Amendments) (Guernsey) Law, 2022 (Commencement) Ordinance, 2022\*;*  
*P.2022/52 – Reform of the Matrimonial Causes Law\*;*  
*P.2022/53 – The Lending, Credit and Finance (Bailiwick of Guernsey) Law, 2022\*;*  
*P.2022/43 – Requête – Additional Key Worker Housing\*;*  
*P.2022/57 – Committee for Employment & Social Security – Amendments to Statutory Minimum Wage Arrangements to come into force on 1st October 2022\*;*  
*P.2022/54 – Policy & Resources Committee – The Guernsey Financial Services Commission 2021 Annual Report and Accounts\*;*  
*P.2022/55 – States’ Trading Supervisory Board – Guernsey Electricity Limited – Annual Report and Accounts\*;*  
*P.2022/56 – Policy & Resources Committee – Superannuation Fund – Actuarial Valuation;*  
*P.2022/58 – Policy & Resources Committee – Reciprocal Health Arrangement between the Bailiwick of Guernsey and the United Kingdom\*;*  
*P.2022/60 – Committee for Home Affairs – Justice Framework Domestic Abuse & Sexual Violence\**

*Amendments to the proposed meeting dates and order are permitted only for those items marked with an \*.*

*Items for Special Meeting of the States commencing on the 1st November 2022*

*P.2022/xx – States’ Budget*

*P.2022/xx – Non-Contributory Benefits Rates*

4495 **The Bailiff:** There is an amendment to this that needs to be circulated, so if that could be being circulated whilst the Greffier calls the Item, please.

**The States’ Greffier:** The Policy & Resources Committee – the Schedule for Future States’ Business.

4500

**The Bailiff:** Does every Member have a copy of the amendment numbered one?  
In that case I will invite the President to open debate and to move the amendment at the same time, please.

[Amendment 1.](#)

*To insert the following wording at the end of the Proposition – “subject to moving the item entitled “P.2022/58 – Policy & Resources Committee – Reciprocal Health Arrangement between the Bailiwick of Guernsey and the United Kingdom” and inserting it immediately before the item in paragraph (g) entitled “P.2022/43 – Requête – Additional Key Worker Housing”.*

4505

**Deputy Ferbrache:** Well, sir, the Schedule is hopefully non-contentious but there is a subject, there is an amendment, which will be proposed by me and seconded by Deputy Soulsby. The Reciprocal Health Agreement is absolutely imperative, time-crucial, and therefore the purpose of

4510 this amendment is to ensure that it is dealt with come what may, whatever else happens at the next sitting.

**The Bailiff:** Deputy Soulsby, do you formally second that amendment?

4515 **Deputy Soulsby:** I do, sir.

**The Bailiff:** Interestingly, under Rule 3(18), the only person who can speak – we can have up to three speeches usually on this, with up to two minutes each – is the President this time because he is the proposer of the amendment and the Committee concerned. Therefore is there any further comment? Well there is nobody else who is entitled to comment so I am simply going to put the amendment to you, Members, proposed by Deputy Ferbrache and seconded by Deputy Soulsby. Those in favour; those against?

4520

*Members voted Pour.*

4525 **The Bailiff:** I will declare that amendment carried.  
Is there any comment at all on the Schedule as amended by that amendment? In that case, I will put the Schedule as amended to you, Members. Those in favour; those against?

*Members voted Pour.*

4530 **The Bailiff:** I will declare that carried.  
Now Members of the States it has been a busy four days but we have got there, with a few things to be deferred.

**Congratulations to  
Heather Watson on reaching second week of Wimbledon**

4535 **The Bailiff:** Before we rise this evening, I just thought I would alert those who do not know to the fact that our Guernsey-based tennis player, Heather Watson, has won another match at Wimbledon today (*Cheers and applause*) and is now into the second week at Wimbledon for the first time in her career, which has been a stellar career, as we know already.

4540 She is someone who flies the flag for the Island immensely well and we, I am sure, would all like to join in wishing her well in her next match and the run that she is having at Wimbledon. So good luck, Heather!

Greffier, can we close the Meeting, please?

***The Assembly adjourned at 5.41 p.m.***