



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 18th July 2024

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Representatives of the Island of Alderney

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

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (States' Greffier)

Absent at the Evocation

Deputy T. L. Bury (*indisposée*); Deputy P. T. R. Ferbrache;
Deputy M. P. Leadbeater (*relevé à 9h 49*); Deputy A. W. Taylor (*relevé à 9h 34*)

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States of Deliberation

The States met at 9.30 a.m.

THE BAILIFF *in the Chair*

PRAYERS

The States' Greffier

EVOCATION

Billet d'État XII

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

6. Review of Animal Welfare legislation: 2024 Update – Debate commenced

Article 6.

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled 'Review of Animal Welfare Legislation: 2024 Update' dated 20th May 2024, they are of the opinion:

1. To agree to further regulate veterinary practice by:

- (a) Requiring veterinary nurses in Guernsey to be registered;*
- (b) Requiring veterinary practice premises in Guernsey to be registered;*
- (c) Requiring visiting or peripatetic veterinarians not associated with an established veterinary practice to notify the Committee in advance of each visit; and*
- (d) Providing for Guernsey's Register of Veterinary Surgeons to indicate those veterinarians who have an Official Controls Qualification (Veterinary) authorising them to undertake specified roles on behalf of the States.*

2. To agree to explicitly prohibit the following under an Ordinance made under the Animal Welfare (Enabling Provisions) (Guernsey) Law, 2008:

- (a) The farming of animals for fur, feathers/down or hides/skin as a primary product rather than a slaughter by-product, excluding farming for wool of sheep, llamas or alpacas;*
- (b) The production of foie gras by force-feeding;*
- (c) The use of wild animals in circuses as set out in paragraph 4.26 of the Policy Letter;*
- (d) The use, permitting of use, sale or possession of any of the following for the capture, control, slaughter, killing or taking of animals:*
 - (i) leg-hold/gin traps;*
 - (ii) snares;*
 - (iii) neck-crushing slaughtering instruments;*
 - (iv) handheld pithing slaughtering instruments; and*
 - (v) spring-powered or elastic-powered stunning instruments;*

(e) The use of artificial lighting or illuminating devices for the capture, control, slaughter, killing or taking of animals, except as provided for in paragraph 4.44 of the Policy Letter; and

(f) The use of glue traps except as provided for in paragraph 4.45 of the Policy Letter.

3. To agree to create appropriate offences and powers for the enforcement of the prohibitions, duties and requirements in Propositions 1 and 2 above;

4. To agree to authorise subordinate legislation to be made in the form of regulations to:

(a) prescribe exceptions, exemptions or defences in relation to any prohibition, duty or requirement in Propositions 1 and 2 above; and

(b) explicitly prohibit:

(i) the export or import of live animals of any specified kind or description, or for purposes or in circumstances prescribed;

(ii) the use, sale or possession of any specified device or method for the capture, control, slaughter, killing or taking of animals; and

(iii) any other specified activity involving or in connection with animals;

5. To authorise powers of entry and inspection and related powers under the Animal Welfare (Guernsey) Ordinance, 2012 to be exercised in relation to non-dwelling premises at any reasonable time without the need for 24 hours' prior notice in writing in non-emergency situations;

6. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

7. To note and endorse the Committee's general policy intent to keep animal health and welfare developments in the UK under regular review, implement the same in Guernsey where appropriate whilst taking account of local needs and circumstances, and return to the States if necessary with further legislative recommendations.

The States' Greffier: Billet d'État XII, Article 6, Committee *for the Environment and Infrastructure*, Review of Animal Welfare Legislation.

5 **The Bailiff:** Good morning, Members, and before I invite Deputy de Sausmarez to open on behalf of the Committee *for the Environment & Infrastructure* can I just remind Members that later today, currently scheduled for 5.30 p.m., it is the annual general meeting of the Guernsey branch of the Commonwealth Parliamentary Association and, therefore, we would welcome as many of you as wish to attend to attend on that occasion. If, and I hope to a certain extent this is an accurate
10 summation of today's business, you conclude your business before 5.30 p.m. then we will move straight into the AGM as soon as we have got everyone in place.

Following on from the request from Deputy St Pier yesterday afternoon, although he did not avail himself of the opportunity to do so on that occasion, I will allow all Members to remove their outer garments if they so wish. This is a one off, Members, on the basis that this is summer. Come
15 September, of course, it will be thoroughly miserable again.

Deputy Taylor, is it your wish to be relevé?

Deputy Taylor: Yes, please, sir and apologise I came in without my jacket on.

20 **The Bailiff:** And I now invite Deputy de Sausmarez to open on this item of business, please.

Deputy de Sausmarez: Thank you, sir.

I am pleased to bring forward, on behalf of the Committee *for the Environment & Infrastructure*, another of our Government Work Plan actions; the modernising and strengthening of Guernsey's
25 animal welfare legislation and I apologise to more squeamish readers if they found some of the detail in this policy letter a little uncomfortable. However, any fleeting discomfort on our part pales into insignificance compared with the pain and suffering of animals that these proposals seek to prevent. Many Islanders will share the view that protecting animal welfare is important in its own

right. As our knowledge of animal sentience grows, so does public interest in protecting animal welfare and legislative advancements around the world are reflecting this.

The proposals set out in this policy letter will increase and improve protections for Guernsey's domesticated animals, resident wildlife and migratory species that pass through our Island. Yesterday there was some discussion about the need for Guernsey Laws to reflect our own values and not just copy what other jurisdictions are doing. As an Island of animal and nature lovers, whose heritage includes our own breeds and unique species, I would like to think that our values very much include the desire to protect animals from cruelty. However, there are some very practical reasons why, in some policy areas, it makes sense for our Laws to align with other places as well and this is one of them.

As the Government Work Plan says, meeting international standards is also critical to maintaining our economic competitiveness and to promote growth. Our free trade agreements with other jurisdictions and international conventions to which we are a party include commitments to enforcing and enhancing animal welfare protections. So keeping our legislation up to standard has a material impact on Guernsey's ability to make such agreements.

In today's post-Brexit context, it is essential that Guernsey's legislation corresponds with welfare standards, the UK's in particular as well as other jurisdictions with which we trade, because if our standards are different then that would be a barrier to trade. During debates on Brexit and some of the subsequent legislation, Members will have heard me talk about sanitary and phytosanitary measures (SPS). These are basically importation measures that are designed to protect human, animal and plant health.

Some of these proposals in this policy letter will help Guernsey to meet SPS standards, such as aligning with the UK government in reducing inhumane transport by preventing the export of Guernsey livestock for slaughter beyond the British Isles. Similarly, the proposals will update veterinary regulations to align with the Royal College of Veterinary Surgeons protocols and maintain the SPS standards that might otherwise create a barrier to trade.

Some of the other proposals will strengthen and clarify existing legislation. Our current legislation sets out what people can do; for instance, it includes a list of approved trapping devices. However, it does not clearly explain what people cannot do; for instance, by explicitly stating what traps cannot be used. Snares are a good example; they are not listed as permitted in our current Law, but neither are they explicitly banned and this creates a very unhelpful ambiguity. We know, sadly, that these devices are being used in the Island. In May of this year a cat returned to its owners with a home-made snare wrapped around its neck. Fortunately, the cat survived.

Should our proposals be supported there will be no ambiguity that traps like these, which are cruel by design, cannot be used. Traps such as snares, glue traps and gin traps are indiscriminate, they can trap any animal that passes by, whether that animal is a songbird, an owl, a Guernsey vole which is, for those that are not aware, an at-risk species that is found nowhere else in the world other than Guernsey, a hedgehog or indeed a cat.

The convention on the Conservation of Migratory Species of Wild Animals and its agreements, to which Guernsey is a party, restricts the use of indiscriminate methods to capture or kill animals, including the use of artificial lights or illuminating devices at night to make them freeze. This practice, known as lamping, would also be banned.

While alignment with international standards is, of course, an important consideration we have been careful to ensure that these proposals are also proportionate for Guernsey. For instance, in exceptional cases where nothing else works, the use of glue traps to kill rodents would be allowed but only by an approved pest controller who is trained in measures to mitigate harm.

There are some activities that are widely recognised by animal experts and most people as cruel and inhumane, such as the farming of animals solely for their fur, feathers, down, skin or hides, the production of *foie gras*, by force feeding, the use of wild animals in circuses and the use of certain types of stunning and slaughtering instruments. These practices are widely prohibited in legislation in many countries around the world and we are proposing that our legislation does as well although, for the avoidance of doubt, the farming of sheep, llamas and alpacas for their wool would still be

permitted. Last, but not least, the proposals will provide for greater enforcement powers for animal welfare investigations enabling Guernsey's officials to better protect local animals from abuse.

I am grateful for the comprehensive work done by the relevant policy officer and the guidance provided by the States' Veterinary Officers in developing these proposals for improving Guernsey's animal welfare legislation. I am also particularly grateful for the input provided in recent months by local veterinary practices, the GSPCA, the former Guernsey Animal Aid, La Société Guernesiaise, the RSPB Guernsey, the British Trust for Ornithology Guernsey and the Nature Commission. These proposed legislative modernisations will benefit Guernsey's animal population and will strengthen our position as a responsible jurisdiction and trading partner. So, I very much hope the States will support our recommendations.

The Bailiff: Deputy Inder.

Deputy Inder: Sir, only briefly, sir, I thank the President for this policy letter. I just want to focus on something called pest control. Red lamping rats at night, lighting up certain areas to shoot them at night, is a legitimate part of pest control and on Proposition 2(e) it asks us to refer to 4.4, it is only something for consideration as the Law is developed, and the use of artificial lighting or illuminating devices for the capture, control particularly, slaughter, killing or taking of animals except as provided for in paragraph 4.4 of the policy letter, and it is for Members to focus on the control bit, and when you go to 4.4 it talks about the use of artificial lights or illuminating devices for the purpose of slaughter, control, killing or taking of animals and, just on the control bit, a red dot on a scope is artificial illumination and that is used for pest control in the evening, as is lighting up areas by red lamps as well.

So, I do wonder if something may have been, I would not like this to go too far in those parts, as there is a legitimate business in Guernsey of pest control, mainly about rats in farms and areas where red dotting and lamping up areas in terms of red lights is used in this Island. I wonder, as these ordinance or Laws are developed, would she give that some greater consideration before this comes back to the States in the future?

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you, sir.

Hopefully we will take your advice on board and not go on too long today. But I could speak for ages about the animals and even if I am a bit of a pest that needs control as well. (*Laughter*) I have always been a supporter of animal rights and animal liberties and we know that 75%, at least, of the public want stricter rules on animals and this does the job.

Of course, it is extra legislation to be prioritised and, hopefully, is ready to go. I have been told that the work for it has mostly been done, so that is pleasing and I will vote for all of it at this stage. There are one or two aspects that I would like to have had more of a presentation of; one is it is probably right to appropriately regulate all of the professional veterinary staff and people who work in that area as that is a gap in our legislation, but I am certainly in the camp of those, like Deputy de Lisle particularly but others too, who believe that the Island would benefit if the Committee and the States' Vet could find a way forward that we have veterinary surgeons on the Island who are able to specialise with the bigger animals, such as cows as well as horses and sheep, because ideally we need a resident vet on Island and I think that is something that is actually an intrinsic part of animal welfare, albeit more of an operational policy.

I have been told, but I have no knowledge as to whether this is correct, that there has been a little bit of concern in the horse community that some of the new requirements might be onerous on them, but I perhaps need to have my mind put at rest there.

I think that the animal welfare Laws are generally sensible and proportionate and we are following international guidance but, of course, as far as I know, we do not have a fur farm problem at the moment. We do not have minks, I ferret around a bit but that does not count. I entirely agree

that it is gruesome, the way pets and other creatures can be held in traps and we want to eliminate that.

135 Only a few areas of controversy: well, I think most people in Guernsey would agree they do not like the way *paté de foie gras* is produced but, of course, internationally there are countries, I expect France for example, that still allows that. I read a rather misleading press release, I suspect the media outlet may have got this slightly wrong, but somebody connected with E&I, not a politician, was talking about performing animals and the point was made the regulations surrounding zoos and
140 dangerous animals are very complex so at least if we cover some of these things off we can say that something is not allowed. If we are the one place in Europe where zoo animals can be used for performances then we might just find people coming here to pitch up, the person was saying.

Now, I think zoos are probably on their way out, we have seen even in the sister island there has been a degree of controversy over the direction of policy for what is a wildlife reserve and, I think,
145 it would be very cruel to bring animals here for zoos or circuses to perform because it is an ordeal, for even humans, to go on the ferries or the planes.

But I must admit I went on holiday to France last year, to the South to Languedoc, where the National Rally seems to win seats, perhaps more than Normandy or Brittany, and I was surprised, and I did go, to a circus, it was an international European circus and I was shocked to see animals
150 like, not so much the monkeys, but lions and other big animals kept in relatively insecure ground and then put in cages for public entertainment.

So clearly we do have, in parts of Europe, circus animals still performing, however undesirable that is, and I know there is not the tolerance, legally or ethically, in England any more for that but I think we need to clarify two points; the difference, if any, between zoos and circuses and what is a
155 wild animal, because there may well be creatures that do live in the wild that are domesticated over several generations in the context of being interesting pets, effectively, that could be ... [*Inaudible*] Well we know a pop star in the US had a pet monkey, for example, would that be classified as a wild animal or tame animal? I do not know.

So that is a point that needs clarification as well and also there are omissions. Some time ago I
160 asked the then President of Environment & Infrastructure, Deputy Barry Brehaut, about the advisability of reporting the death of cats to the Police as they do with dog and I am not sure what happened to that but I think in Jersey they did make the change and I do not see in this policy letter anything to do with micro-chipping of cats or dogs.

Now that is a big conversation, not everybody would agree with it, but I suspect on balance it
165 would be extremely useful to animal safety, pet rescue, recovery of adored animals, life at the animal shelter if every pet on the Island was micro-chipped or dealt with in a suitable alternative way.

So I would actually like the Committee to work on that because a lot of the provisions here, although conforming, rightly, with our international standards are more marginal for Guernsey because we probably do not really have a zoo/circus problem and we certainly do not have a mink
170 farm problem, as far as I am aware. But I do support the policies as far as they go and probably would like to see them go further.

The Bailiff: Deputy Leadbeater, is it your wish to be relevé?

175 **Deputy Leadbeater:** Yes please sir.

The Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, sir.

180 Originally I was not too concerned with this policy letter, it all seemed reasonable enough: prevent farming for animals solely for their fur or hides and that does not preclude the use or reuse as a by-product from slaughtering; prevent *foie gras* businesses; prohibit animals in circuses; prevent inhumane trapping; powers in relation to transportation; and to create a register for veterinary nurses.

185 But before I move on, sir, I would like to ask the President, purely because a Member of the Committee for Environment & Infrastructure indicated to me yesterday that farriers, groomers and dog walkers might well need to be registered as well. I did not see anything explicit in the policy letter, but I would ask is that the intention behind this?

190 Anyway, so as I said, everything seems pretty reasonable to me, however, I did look into it a little deeper and whilst I do not want to ruffle any feathers I do want to explain my concerns. So, sir, Proposition 2(e) prevents the use of artificial lighting for the capture or killing of animals. Now I note that the definition of animal under the Animal Welfare Guernsey Ordinance 2012 includes any animal with a vertebrate. This would include fish.

195 Now, why do I think this is important? Obviously, there are fishermen who use artificial lights in the capture of fish and squid, of course, and I saw no consultation of this, I saw no mention of fishing in this regard in paragraph 4.44 in relation to exemptions. Indeed, there is an exemption under Animal Welfare Guernsey Ordinance 2012 for fishing for part 1 only.

200 But this policy letter is not seeking, however, to add the changes under this Ordinance, they are seeking for powers to make regulations as per Proposition 4. Proposition 4 authorises subordinate legislation to be made in the form of regulation. Proposition 4(b)(iii) states that these regulations will include any other specified activity involving or in connection to animals. So that is quite broad.

205 In this policy letter, it mentions having the ability to act quickly: that is what we need, that is why we need these extra powers to make the regulations. But I am afraid I do not really see any reasonable justification in the policy letter. There are powers already, powers of entry, there are already duties of care for animals, I am just struggling to see what is the need to act really quickly to prevent future *foie gras* farms, which are not on the Island, they do not even exist on the Island.

210 Perhaps when someone has an idea, such as a black fly farm, they need to be able to quickly make regulations to prevent them. Some might say that that could be an unreasonable reach. I, for one, would expect or prefer that extra powers or extra regulations that would otherwise be in the form of Laws or changes to the Ordinance do come back to this States of Deliberation.

215 Whilst we are talking about flies, sir, paragraph 4.45 when talking about glue traps makes exemptions for flies. However, it does not mention any of the other insects, such as ants or wasps, and I will remind Members, obviously, insects are in the animal kingdom. In the Animal Welfare Ordinance 2012 the definition of animals include vertebrates and as I say, these regulations are not being made under this Ordinance. Thus, the definition can be wider and by inference and explicitly suggesting exemptions for glue traps for flies within a building or within a metre of it, I conclude that we are indeed talking about all insects.

220 Now, the President mentioned it is essential to bring legislation in line with the UK, but the UK legislation regarding glue traps is Glue Traps Offences Act 2022 and this is only for vertebrates. Paragraphs 4.27 and 4.52 refer to being able to make statutory instruments to regulate further activities or limit the devices used at the slaughterhouse, again with the need to be quick, i.e. to not come through this Assembly.

225 Now, whilst I am not an expert on which devices are humane or inhumane, I would have expected to have some consultation, or there would have been consultation with the slaughterhouse themselves, but I do not see them on the list. In fact, only States' employees were consulted, only some of the affected parties had engagement so, potentially, not explicitly working together in the formation of these proposals.

230 Sir, the policy letter explains that some of these modernisations are intended to update extant Resolutions of 2003 and 2011, not that these Resolutions are explicitly mentioned or explained in the policy letter, but I would suggest that this hardly proves the need to act quickly because they have not been done for over 20 years.

235 Members, another issue that I have is the ability to enter any non-dwelling without notice. The justification being that, well they already have that power under the Food and Feed Ordinance but that is because that legislation involves food for human consumption and, of course, is understandable, plus there is already an ability under the 2012 Ordinance to enter a premise immediately if there is an animal in distress. So I cannot really see or understand the rationale in

the policy letter and it seems, to me, to be just an opportunity to increase the reach. There are already quite explicit and comprehensive powers of entry under the current Ordinance.

240 My final issue is, this update is to prevent fur farms, prevent inhumane traps, animals in circuses and create a register for veterinary nurses and, of course, the ability to make more regulations. The policy letter states that the Animal Health and Welfare Officer is in the Government Work Plan, so these plans do not require any extra resources, but the Government Work Plan is a time limited plan, not a permanent increase to the headcounts, which is what this post will be.

245 So, Members, I am afraid, given everything that I have mentioned perhaps most notably the increase in powers to make more regulations quickly and the prioritisation, I think, we need to make in regard to, say, legislative drafting and what we spend our money on, I am leaning towards – obviously I shall listen to the rest of the debate and, of course, the reply from the President, but I am leaning towards – not supporting this policy letter.

Thank you.

250

The Bailiff: Deputy Brouard

Deputy Brouard: Thank you, sir.

255 I am very supportive of the proposals coming through from E&I and I would like to thank the Committee for the work that they put in in doing so because it is a very fine line between what is vermin and what is an animal, because most of the vermin are going to be animals as well; so trying to carve that in a humane way is a difficult line to go.

260 I just want to touch on one niche one and it is one of my own particular foibles. I particularly like magpies, I am quite superstitious, I have to salute the damn things (*Laughter*) but I also hate Larsen traps and I know some shooters here will probably quite like Larsen traps. I particularly do not like them and I just wondered if E&I will be taking licensing one stage further? I know Larsen traps are licensed at the moment, but ask whether there could be a ban on them because I think it is a very cruel way, and I know some people will not agree, but I would appreciate a comment when the Deputy sums up.

265 Thank you very much, sir.

The Bailiff: Deputy Helyar.

Deputy Helyar: Thank you, sir.

270 A perhaps little known fact, I believe I am the only qualified pest controller who is a States' Member. I cannot see anybody else waving their hand, so there we go. (*Laughter*)

275 I had some comments, particularly on Section 2(e). I am very concerned about the Committee extending procedures for licensing some of these activities, which are conducted at the moment by qualified pest controllers without any need for a separate licence because licences bring costs, they bring extra people, they bring extra forms, they bring extra interference in what is an everyday activity and a business activity, and I disagree with it. Unfortunately 2(e) has not been separated out, so I would ask the Bailiff when we get to voting if that could be done separately because I will not be able to vote for it; because of the extension of licensing powers, but also because of the content.

280 So there are some great difficulties with the use of night vision devices and how that is going to be regulated. So, for example, something which is not treated as vermin at the moment, but definitely should be, is mustelids, which is escaped ferrets. Now there are hundreds of poultry deaths every year in Guernsey caused by escaped ferrets which attack and they attack like foxes, they kill for fun. So if they get into a poultry pen, they kill everything in it. They do not just eat one and take it away, they kill everything and whilst they are doing that they are probably eating our local amphibians, bird eggs and all of the other things that go with it.

285 Now, in order to trap those things, you need to usually use trail cameras. They are under the provisions within here, under I think it is section 44. The use of a trail camera to identify what vermin

290 is causing this problem would become illegal because the use of a night vision device for the purpose of controlling – Well, that is what it says. So please give us some assurance, Deputy de Saumarez. That is what the words say and we have to take them by their ordinary meaning.

Night vision devices are also very commonly used, as it has already been said, particularly infrared but also vision enhancing devices, in the taking of rodent species and that is done often by a pest controller for safety purposes in areas where it is impossible to use traps which are poisonous. 295 So, for example, around areas which are concerned with food production and farms and that is also the case in the next section, for glue traps.

Now the humane use of glue traps, anybody that has a British Pest Control Association qualification, like me, has been trained in their safe and effective use. There are lots of spaces in buildings, particularly in food production facilities, where you cannot use poisons and you cannot 300 use firearms and for those purposes those traps need to be used and they need to be used humanely, they need to be inspected regularly because you do not want to leave a rodent effectively glued to a piece of cardboard for 12 hours or more, so it has to be inspected regularly.

That does not require the States to provide somebody with a licence. Somebody who has a British Pest Control Association qualification is already trained to do that by a respected body. I do 305 not think it requires the States to intervene in that. So I cannot agree with those two things because I do not think they should be licensed.

I do think, though, that some consideration should be given and I would like some reassurance about that; to the adding of mustelids to the list of vermin species. If you were to catch, say, mink in the UK it would be treated as an invasive non-local species and it would be a criminal offence 310 once it is captured to release it back into the environment. I think those animals should be treated in the same way and we also have, unfortunately, for those of us who have sheep or have raised sheep and lambs in the past, a growing problem with ravens in the Island.

Sir, I know a lot of people like those animals, but they do cause a massive problem for people during the lambing season in terms of pecking out sheep's eyes and attempting to take animals 315 during the lambing season. It is not possible, at the moment, to conduct any form of control over them. They have the same animal rights as a cat or a dog in the same way as a ferret does. So, I would like to see those things added to the vermin list and I would like some reassurance that that will be considered.

Thank you.

320 **The Bailiff:** Deputy de Lisle.

Deputy de Lisle: Sir, along the lines of the previous speaker, I just note that in 1.5 the Committee has responsibility for advising the States and developing and implementing policies on: agriculture; 325 animal health and welfare; and sustainability of food and farming. Those are very broad responsibilities for E&I to take and I would like to make the point that there is very little with respect to animal welfare in commercial agriculture in this document, in this policy letter, not only dairying but some of the developing sectors in agriculture, in other words the sheep farming area, pig raising and other areas that are developing in Guernsey again that might have been lost in the past, the 330 recent past.

So what is being done? My question is what is being done to ensure that necessary welfare standards are brought in in the commercial farming area and that relates also to the private sector in terms of providing veterinary care and other provisions and other services for agriculture and services that are provided in England and providing, really, legislation in line with the UK from those 335 aspects.

The other point that I would like to raise is in number 4 there to agree to authorise subordinate legislation to be made in the form of regulations in 4(b) it states to explicitly prohibit the export or import of live animals of any specified kind or description. I would like some clarification as to what is intended there because Guernsey has a traditional industry of export of dairy animals and I would 340 be worried that that might be something that is being introduced which might do a disservice to

that activity, and profitable activity, that is part and parcel of Guernsey's dairy business. So I ask those, points for clarification, sir, when the Member is summing up.

Thank you.

345 **The Bailiff:** Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

Apologies for being late in this morning but I did catch Deputy de Sausmarez's opening on the radio on the way down, which I was happy to, and I have picked up a bit of Deputy Inder's speech
350 and it seems like a few people are homing in on the lamping side of this, which is something which shone a light in my eye (*Laughter*) when I read the policy letter myself.

One thing I will say about this is that it clearly does not capture domestic animals, pets and the industries that have grown up and surround that. I presume that is another piece of work that will be coming at some point in the future and this is the low hanging fruit, maybe, if you can put it like
355 that. But I am still not sold on the on the lamping thing because, practically, if you look at the wording in the policy letter and it talks about the use of artificial lights and night time hunting being partially restricted according to method, location and target species by legislation in some jurisdictions, I do not really know how targeted this is, what the prohibitions surrounding that are.

So if Deputy de Sausmarez could explain the difference between an outright ban and the partial
360 bans in some of these other areas I would be interested to hear. But the practicalities of lamping, because it also talks about it is partially prohibited because of our firearms legislation anyway because you cannot shoot rabbits and shoot between the hours of darkness, but then it says that you are still going to be able to use night vision technology, which I think is at odds to that, really.

I will give way to Deputy de Sausmarez.

365

Deputy de Sausmarez: I do appreciate I have the right to reply, so I was weighing up whether or not to intervene at this point. But I think as there has been a little bit of confusion by, and it has been touched on by about three speakers, perhaps it would be helpful if I clarify at this stage that lamping is the use of lights, artificial lights, to dazzle and freeze an animal. Night vision is technology
370 which helps see and I think red dotting is the same. It is not technology that dazzles and so that is the key difference and I hope that helps to clarify.

Deputy Leadbeater: I have been shooting since I was a child and I clearly know the difference between lamping ... because I have been lamping as well since I was a child and I was about to go
375 into the practicalities of lamping and the difference between, I think, what the policy letter thinks about lamping and what lamping is in practice.

Because when I was younger, before I was old enough to have a shotgun licence, I used to go lamping quite regularly and ferreting quite regularly, and the method of dispatching the rabbits, whether you are catching them in the ferret net or you are catching them by dazzling them and
380 sneaking around the beam and jumping on top of them is identical.

So, I do not see what this seeks to achieve in that way because the vast majority of rabbits, from my experience, are caught in nets and dispatched by hand, and when we are talking about night vision technology and the ability to shoot things, you can shine a lamp 300 yards and you can dazzle and you could see, somebody could shoot it with an air rifle, somebody could have a punt with a
385 shotgun, you are not necessarily going to have a straight kill, you are probably not going to have a straight kill, you might injure the beast but you are probably not going to kill it straight away, so that is inhumane if you like.

I really think this is taking something away from the childhood and the upbringing that people like I had (**A Member:** Hear, hear.) because this is what we did. I lived out in the Rue de Genette in
390 Torteval and there were lots of neighbours ... my mate Trev and I would go out in the evening with our lamps and we would get rabbits and then we would gut them and we would skin them and we would take them to their house for a bit of pocket money and it was well appreciated because they

were for the table. That is part of my growing up which I think I am lucky to have had that part of growing up in my life, that connection with nature. I was a member of the Guernsey Association for Shooting and Conservation since I was allowed to be a member and we used to do things like import pheasants and release pheasants all over the place and so there was a conservation and there certainly is a conservation element to this.

I have not really examined the Proposition to see if it is possible to vote against this part of it, I am not sure if it is but I would like some clarification on that, but I really struggle with preventing youngsters growing up from being able to take part in this, what I see is a tradition, and I clearly know the difference between dazzling a rabbit and night vision because, like I said, I have been involved in shooting and hunting all my life. So yes, I just wanted to put my thoughts on record, that that is the only part of this policy letter that I am struggling with.

Thank you.

The Bailiff: Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

I was reading this policy letter and it was only afterwards that I was thinking about it, so I have some questions and towards the end of my speech I will set them out, but I am asking for some assurances from Deputy de Sausmarez. This is a policy letter about the welfare of animals and I agree with the premise.

Paragraph 2 lists the banned methods of slaughter, all fine, and we also see that in 3.12 paragraph, animals are sentient beings and they feel pain, I agree with that. Then in paragraph 4 it states the Committee can prescribe exceptions to paragraphs 1 and 2, but we do not know what they are, but the elephant in the room, I think, is ritual slaughter, *shechita*, I apologise for the pronunciation, which is Jewish and *halal*, which is Muslim.

Now in the UK all animals must be stunned except under these *halal*, I will just refer to *halal* going forward, regulations. They have an exemption in Law. Now the RSPCA campaigned against such practices, it has got a huge amount of information on its website. I am not going to read out all the details for the sake of people listening, but please Google it as it describes the process, how it is carried out and one thing I will mention is that cows can take up to two minutes to die, all in excruciating pain.

I do not think there are any *halal* compliant slaughterhouses here in Guernsey, but who knows for the future. As Deputy St Pier said yesterday, we have a changing demographic so will there be a clamour to set something up in the future, I do not know. Animal Welfare (Requirements for Slaughter, etc.) Order 2014 is relevant; it prescribes that stunning must be used; all well and good, happy with that and slaughter by exsanguination, which is bloodletting, is allowed after being stunned.

So I will come to the point and this is what I would like Deputy de Sausmarez to confirm, does the Committee have any intention to prescribe exemption regulations as they are allowed to do in the policy letter that allow ritual slaughter without stunning, such as is allowed in the UK?

Thank you.

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, I rise to merely seek clarification on current legislation and the new items of legislation in these Propositions. On the front page of the *Press* today is a shocking report of a landowner discovering 45 dead trout in his lake. The landowner says he thinks some kind of pollution may have come from a stream and caused the death of the trout.

Sir, can Deputy de Sausmarez please tell me what legislation do we have in place currently to address that, because it obviously is not working and is there anything in these new pieces of legislation that will strengthen current legislation and make it more robust? It obviously needs to be strengthened seeing as it is not acting as the deterrent that it was meant to act as.

445 Thank you, sir.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir.

450 I have been listening carefully to the debate and taking into account some of what has been said. But could I start with one point that has not been made? I would like Deputy de Sausmarez to explain the benefits of paragraph 1, which are all the registrations. We keep doing this, every time you want to do anything you seem to have to register more and more and I do note that further on under paragraph 7, this is going to require another civil servant to do the registering. We keep
455 doing this and we add to costs all the time. So I first of all question whether we need paragraph 1.

Paragraph 2, I care a lot about harming animals and obviously most vertebrates are sentient beings, I fully subscribe to that. So I am in favour of most of 2 but, to pick up from what other Deputies have said about 2(e), I would like to have a separate vote on that and I do not know if we can be advised whether that would be possible or do we need a formal amendment to do it?

460 I will give way.

Deputy Inder: I have taken some advice from the Bailiff and there cannot be a discrete vote on 2(e), as I understand it, but myself and Deputy Helyar are putting in an amendment to ask the States if they would agree to allow that to be separated. I just have not told Deputy Helyar yet! (*Laughter*)

465

Deputy Helyar: Okay, fine.

Deputy Dyke: I thank Deputy Inder and, of course, Deputy Helyar for coming up with that solution. So I think that is an excellent proposal. The point that Deputy Le Tissier made about *halal* and *kosher*, slow and immensely cruel execution of animals is a big point. I had not thought of it until he raised it and I would like Deputy de Sausmarez to explain what we can do about that, what she proposes, if she has thought about that issue, what we can do to stop that, because that is a particularly horrible and slow way for animals to die and it should not happen on this Island at all. So those are my points.

475 Thank you.

The Bailiff: Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

480 Very brief and nowhere near as intense as some of the other speeches and more relevant speeches by Deputy Helyar and Leadbeater, who know far more about this than, clearly, lots of us sat here, it is just something more on a very practical day-to-day level and I suspect that affects a lot of people.

It says neck crushing in 2(d)(iii) neck crushing slaughtering instruments, I assume that means
485 mouse traps. Deputy de Sausmarez did mention mouse traps, I think, in her comments and I may have misheard, so I apologise to her if I did, but could she confirm that whether the use of mouse traps even would only be by professional pest control experts or whatever they are called, or is it a case now that those of us have Victorian houses and, therefore, need mouse traps at some point in their lives would then be breaking the Law to put a mouse trap down, obviously because that is a
490 neck crushing instrument?

Likewise regarding the lighting, again, just on a more practical day-to-day matter rather than the massive issues that others have raised, bug lights, the likes of things which zap bugs when they touch them, would they, therefore, now be banned under this and, therefore, we would all be breaking the Law if we use one of those? So two very minor points, certainly not in the league of
495 the others that have been raised, but I would be interested to hear those, please.

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you, sir.

500 Just on the *foie gras*, the production. It talks about the production of *foie gras*; now in a prior life, sir, we once advertised a very posh Christmas menu and one of the starters was *foie gras*. This was printed in the newspaper and, as usual, the telephone bookings flew in. But what also flew in was some hate mail, some anonymous hate mail, directed at what sort of establishment and the force feeding of geese and this, which 15-20 years ago was pretty unheard of but there were people with
505 very strong feelings about *foie gras* back then.

I sought advice on what was happening in the UK, in *The Caterer* magazine and different articles, different approaches, and instead of this anonymous hate mail it was recommended that people try and take a different route than doing this and that did not happen. But what I am worried about, on the face of it, it says the production of *foie gras* would be banned in Guernsey but what about
510 people that like to eat *foie gras*, that want to, or perhaps fine dining restaurants that might exist that want to put that on their menu. Is it just another little move to ban the introduction of what *paté* comes into the Island from there? That was the point I wanted to make.

The other thing which is quite unusual, and it has been bought up by Deputy Helyar, but I had an incident at my house, which is in a lovely position right on the edge of a watery golf course,
515 loads of wildlife, bats, birds, loads of animals and I had to call in pest control to get rid of what I thought was a mouse. We had installed a new kitchen floor with insulation and under-floor heating and I could hear scratching.

So some animal was trapped and the pest controller came down and we have got a suspended floor, I sent him through the matwell underneath the suspended floor into a semi-basement four
520 foot deep and as he went through I said, it has got a bit worse since I called you, it could be something a bit larger. I said it could be a large mouse (*Laughter*) or it could possibly be a rat and fearlessly he went down and quite a rugged pest controller went down and came out pretty quickly, sir, came out very quickly and as he came through the floor, I could see he was very worried and he said, Simon I have got it, he said you have got a polecat.

A Polecat had managed to get through the concrete, around a pipe, he had managed to get in
525 under the house but he could not get out and I thought the guy was being a bit, you know ... I said, 'You mean a ferret?' 'No,' he said, 'it is a polecat. You have got a wild polecat.' 'Stronger jaw,' he said, 'If you get bitten by one of those you will know all about it.' I do not know how we did it, but we had to bring in a trap as large as this table and cat food to bait it and it took the stubborn
530 polecat about four or five days before he would come out and he was handed to the animal shelter; a beautiful animal, sir, absolutely beautiful, beautiful fur.

So what I think Deputy de Sausmarez is trying to do here is good but I think it does need a little bit more work on certain elements and I would just appreciate her confirmation on the banning the import, is this going to happen in the foreseeable future, of *foie gras*?

535 Thank you, sir.

The Bailiff: Deputy Taylor.

Deputy Taylor: Thank you, sir.

540 My follow on is in a similar vein to Deputies Inder, Helyar and Leadbeater and echo their comments. My real reason for wanting to kill rabbits is to put them on the barbecue, as simple as that, and I would not like to see that blocked for anyone.

But, sir, could he just confirm because I felt like in response to Deputy Helyar's question you said that we would be able to separate out 2(e), but if that is not the case, is an amendment being
545 lodged? Okay, I will speak on that then. But I would say that I am fully behind all the proposals in this but it is only that 2(e) and, potentially, the point Deputy Mahoney made about the fly zappers, that was my only other bit, but I will wait for this amendment that should be coming.

Thank you.

550 **The Bailiff:** I do not see any other Member rising but because there is an amendment being prepared, Deputy de Sausmarez, I am not going to call you to reply to the debate at this stage. The position, as far as I am concerned, is that under the electronic voting arrangements each Proposition, at best, has to be a full Proposition. So, if Members want to be able to separate out some of the elements of Proposition 2 so that there can be discrete votes on them, then we will have to wait for the amendment to be lodged with Propositions and produced in paper form before we can continue the debate if no other Member wishes to speak in general debate at this time. In which case, what is your time estimate, Deputy Inder, for producing the amendment?

Deputy Inder: I will refer to the gentleman in the corner typing away at the moment.

560 **The Bailiff:** Mr Comptroller, you are in the spotlight, how long are you going to need to have something provided to Deputies Inder and Helyar that they can then lodge with Propositions?

Mr Comptroller: Fifteen minutes.

565 **The Bailiff:** Fifteen minutes. Shall we adjourn now until 10.45 a.m. at the earliest? Those in favour; those against? I will declare that carried. We will stand adjourned until at least 10.45 a.m.

*The Assembly adjourned at 10.28 a.m.
and resumed its sitting at 11.05 a.m.*

**Review of Animal Welfare legislation: 2024 Update –
Debate continued –
Propositions carried as amended**

570 **The Bailiff:** Well, Members of the States, just like buses, you adjourn for one amendment and you end up with two. But we will take them in number order and I will, therefore, invite Deputy Inder, if he so wishes, to move Amendment 1, please.

[Amendment 1](#)

1. To delete paragraphs (e) and (f) of Proposition 2 and insert the following Propositions immediately after Proposition 2:-
"2A. To agree to explicitly prohibit under an Ordinance made under the Animal Welfare (Enabling Provisions) (Guernsey) Law, 2008 the use of artificial lighting or illuminating devices for the capture, control, slaughter, killing or taking of animals, except as provided for in paragraph 4.44 of the Policy Letter.
2B. To agree to explicitly prohibit under an Ordinance made under the Animal Welfare (Enabling Provisions) (Guernsey) Law, 2008 the use of glue traps except as provided for in paragraph 4.45 of the Policy Letter."
2. In Propositions 3 and 4 for "Propositions 1 and 2" substitute "the above Propositions".

575 **Deputy Inder:** Sir, Greffier and Comptroller, thank you for the assistance on this. Members, to explain, this amendment, supported by Deputy Helyar, does two things really and if I give reference to the policy letter as is 2(e) and 2(f), as it stands, cannot be voted for discretely. This amendment simply deletes 2(e) and 2(f) in the policy letter and moves it to a separate Proposition of 2A and 2B to allow Members the discreet votes and what you have in front of you is 580 the 2(e) and 2(f) which now becomes 2A and 2B and I thank Deputy Helyar for seconding it and the Greffier and the Comptroller for putting it together for us.

Thank you.

The Bailiff: Deputy Helyar, do you formally second Amendment 1?

Deputy Helyar: I do, sir.

The Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Yes, sir, thank you.

Could Deputy de Sausmarez please confirm that the regulations do not apply in Alderney, however commendable many may be?

The Bailiff: That is possibly a question for general debate rather than on this amendment, but yes, I am sure she will address that in due course. Anyone else on the amendment? Deputy de Sausmarez, do you wish to comment on the amendment on behalf of the Committee?

Deputy de Sausmarez: Thank you, sir.

On the one hand, as Deputy Inder has explained, this is just a technical amendment to separate out some Propositions from each other but really if we look ahead to what that is trying to facilitate, it is trying to facilitate the defeat, I suppose, of what is currently Proposition 2(e) which relates to lamping.

So I think it would be appropriate to just mention why the Committee does oppose it on those grounds, so not because of the mechanics of it but just because of what it would facilitate. It really is just about the fact that, of course, lamping is not, in practice, currently permitted anyway, certainly on public land. So I hope that is not what Deputy Leadbeater was doing when he explained his youth time pastimes and just because something was something that people did in their youth does not necessarily make it a great thing. I would bear in mind that this is all about animal welfare, at the end of the day, these are techniques we have managed to distinguish between –

Deputy Inder: Sir, point of order.

I genuinely think this is a bit of a drift because Deputy de Sausmarez –

The Bailiff: Deputy Inder, you have to wait to be called.

Deputy Inder: Sorry, I do think –

The Bailiff: Deputy Inder.

Deputy Inder: As I was told only a few meetings ago, this is purely about inserting a new amendment to allow a discrete vote in 2(e) and 2(f). Deputy de Sausmarez, as you know, has an ability to speak to the Propositions when she winds up later. This is just about whether people agree to delete 2(e) and 2(f) and turn that into a 2A and 2B.

The Bailiff: I am not persuaded that that is a valid point of order on the basis that what Deputy de Sausmarez is saying is you can vote against this, but she knows that the Committee would then be at risk that people might vote against the entirety of Proposition 2 in due course. But Deputy de Sausmarez.

Deputy de Sausmarez: Yes –

The Bailiff: You will have the opportunity to address the amended Propositions if this amendment were to be successful.

Deputy de Sausmarez: Yes, it is. We had a conversation, as a Committee, about the fact that this amendment is a technical amendment. So it does exactly what Deputy Inder said, it separates them out. I just thought it would be helpful, at this stage, to explain why that might not be a good idea, but fine, let's just vote on this and I will reply to general debate as and when.

The Bailiff: And Deputy Inder, as the proposer of this amendment, is there anything you want to say in reply?

Deputy Inder: No, sir.

The Bailiff: Well, Members of the States, we come to the vote on Amendment 1, proposed by Deputy Inder and seconded by Deputy Helyar and I will invite the Greffier to open the voting, please.

There was a recorded vote.

Amendment 1

Carried – Pour 25, Contre 9, Ne vote pas 4, Did not vote 1, Absent 1,

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Burford, Yvonne	Matthews, Aidan	Falla, Steve	Bury, Tina
Blin, Chris	Cameron, Andy	Roberts, Steve		
Brouard, Al	De Sausmarez, Lindsay	Snowdon, Alexander		
De Lisle, David	Fairclough, Simon	St Pier, Gavin		
Dudley-Owen, Andrea	Gabriel, Adrian			
Dyke, John	Le Tocq, Jonathan			
Ferbrache, Peter	Meerveld, Carl			
Gollop, John	Soulsby, Heidi			
Haskins, Sam	Trott, Lyndon			
Helyar, Mark				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Leadbeater, Marc				
Mahoney, David				
McKenna, Liam				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Taylor, Andrew				
Vermeulen, Simon				

The Bailiff: So on Amendment 1, proposed by Deputy Inder and seconded by Deputy Helyar, the voting was 25 Members voted in favour, 9 Members voted against, 4 Members abstained, 2 Members did not participate in the vote and, therefore, I will declare Amendment 1 carried, which means that we already have Proposition 2A, Proposition 2B and some slightly revised wording in Propositions 3 and 4, which are consequential.

The second amendment is one from Deputy Dyke to be seconded by Deputy Le Tissier. So, Deputy Dyke, is it your wish to move Amendment 2 now, please?

[Amendment 2](#)

1. To insert the following Proposition immediately after Proposition 2:-

"2A. To agree to explicitly prohibit under an Ordinance made under the Animal Welfare (Enabling Provisions) (Guernsey) Law, 2008 the slaughter of animals by Halal, Shechita or other methods involving slow blood letting unless the animal is stunned throughout the process to total unconsciousness

2. In Propositions 3 and 4 for "Propositions 1 and 2" substitute "the above Propositions".

Deputy Dyke: Yes please, sir, I would like to move this amendment. I think it is entirely self-explanatory. These bloodletting methods of killing, in particular cattle and pigs is, to my mind, a particularly horrible and cruel thing unless the animals are fully stunned. So this adds an additional Proposition to make it express that this cannot happen on the Island.

660 Of course, these meats can still be imported in the Island but that is an entirely different matter and if anyone is wondering why it is number 2 capital A as opposed to 2C as the Comptroller has just explained to me, when there are two amendments, you draft them ignoring each other so one says 2A and B and this says 2A, I guess it will turn into 2C in due course. So I would heartily recommend this Proposition to make it completely clear that this sort of horrible cruelty cannot
665 happen in Guernsey. (**A Member:** Hear, hear.)

Thank you.

The Bailiff: Deputy Le Tissier, do you formally second that amendment?

670 **Deputy Le Tissier:** I do, sir.

The Bailiff: Thank you. Deputy Gabriel.

Deputy Gabriel: Sir, it is more a point of order and I would accept your ruling on it. There is no
675 4(1) information in this amendment and, in my view, this does not meet the exemptions in Rule 4(4) and so I would question the validity of the amendment.

The Bailiff: Mr Comptroller, it is fair to say that both the amendments lack the Rule 4 information that should have been on their face, that Members take responsibility for providing that information,
680 but equally once the amendment has been accepted by the States' Greffier it is in play. What do you think?

The Comptroller: Sir, I agree with that. I think in these instances where there are late amendments, I think there has been precedent as well before where that information has not been
685 provided. I am not saying it should not be, but it has not been provided and as you put it, the amendment is in play because it has been submitted to the States' Greffier.

The Bailiff: Yes, so there is nothing that I can do about it but, obviously, Members do not have the information that is strictly required before them and they can vote accordingly. Yes?
690 Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

On Deputy Dyke's amendment, while I wholeheartedly agree with the sentiments behind it, I do think there are risks around this amendment in terms of Guernsey's national, and possibly even
695 international, reputation and I think these late amendments, well-intentioned as they may be, expose the States to risks which should be considered carefully.

If we passed that amendment we would risk attracting attention not only in Muslim centred arenas but also, of course, in Jewish circles and I really think it would be better if this kind of

amendment was given careful consideration by the Committee responsible for the policy before it came before this Assembly.

So, personally, although I support the sentiment behind it, I cannot support the amendment. I think it is dangerous for the reputation of Guernsey (**A Member:** Hear, hear.) and I would urge rather that the Committee for Environment & Infrastructure take the matter away, read the sentiment in the room and consider whether anything more could or should be done.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir.

I take rather a different view to Deputy Parkinson, but sort of end up in the same place. I do believe, and I am not trying to echo Deputy Ferbrache's speech from yesterday, but I do believe in Guernsey we have to make our own decision about what is acceptable over animal welfare and if it conflicts with some religious beliefs, then I am afraid that does not necessarily wash with me. I still think inside our 24.5 m² we have to protect animals from unnecessary cruelty.

So the sentiment of the amendment I fully accept and, therefore, in some ways I am reluctant to be seen as working against it, but I just do see it is wholly unnecessary. As the person who brought the proposals in 2003 my memory, and I may be mis-remembering, is that such activities are already not permitted. They certainly do not go on in our slaughterhouse but, of course, I suppose slaughter could take place elsewhere than in the slaughterhouse.

But I would look to the President of E&I, if she is able to tell me, whether or not these methods of slaughtering by draining of blood of an unstunned animal are permissible now, because I do not believe that they are and, therefore, I am reluctant to go around voting for amendments to ban things that are already banned, otherwise, we will have a plethora of amendments actually doing that. But as I say, 2003 was quite a long time ago so I do not know whether Deputy de Sausmarez is in a position to confirm what I am saying or not. If it is already restricted I really do not believe that we should be passing amendments to ban things that are banned.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, sir.

Just briefly, I am rather assuming that everybody who voted against the marriage age thing yesterday on the basis that it is not happening in Guernsey, will also vote against this amendment because it is not happening in Guernsey. But I do support the essential idea behind it, but I will be voting against it purely because I really think this is a bad practice of having these on-the-hoof amendments.

This policy letter has been in the public domain for some considerable time and the proposer and the seconder could, indeed, have engaged with the Committee on this matter and they could have, perhaps, brought an amendment, if it was necessary, or provided the proposer and the seconder with the reasons why it was not.

Thank you.

The Bailiff: Deputy Gollop.

Deputy Gollop: Sir, I have always resented that when Deputy Soulsby and SACC pushed that Rule forward, it is a pain to people like me and it is got around with people actually putting the amendments in and saying we have not consulted. So the whole thing needs to be looked at again and late amendments are not always great, but they have a purpose and this, clearly, reflects the views of, I think, many Members of the States and many members of our society.

But the speeches we have heard so far have all made good points. Deputy Burford's point I made yesterday in a different way, that we have to be very careful when you want to change the law for actual or potential issues that we are not perceived as being culturally specific or indirectly

undermining an element of our community and, I think, unfortunately, this amendment does identify two practices that are seen in world religions.

Deputy Roffey has a point, it may or may not be legal now, but I would want more information not just from Environment & Infrastructure on practice in other European countries, in other Crown Dependencies and in the United Kingdom but I also, sitting on Policy & Resources, have to think of the international perspective and we have a finance and commercial sector that is open to all people from diverse religions and countries.

We do not want to be attracting attention for the wrong reasons and, I think, we would on this amendment really need advice from External Relations and other relevant parties. So for that reason, I will vote against this amendment and abstain if it is passed in the main Propositions. I do not want cruelty to these animals and I support Deputy Dyke's viewpoint that if we are to have alternative methods of slaughter it would be appropriate if they are stunned throughout, but I do not know the implications culturally, internationally, in terms of animal welfare in the UK and also in terms of phraseology. So, for that reason, I think we have not had enough time to consider the fuller implications.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Sir, I think Deputy de Sausmarez has made it clear in her speech that some of the key principles behind this policy letter and proposed legislation is to align with some of the principles around the world and especially the UK and in the UK, and I think Deputy Le Tissier actually highlighted it in his speech, religious slaughter of animals for food without pre-stunning is currently permitted in the UK for Muslim *halal* or Jewish *shechita* methods in line with permitted exemptions to EU slaughter regulations as well.

So it sounds like the common practice that this is an exempt activity because, actually, in many countries around the world you would have significant Muslim communities and, I think, I very much share the sentiments around that if we were to completely go against other established practices elsewhere we really need to consider this properly. But fundamentally, this amendment will go against the current practice of exempting *halal* type of animal slaughter in the UK which would go against the principle of following internationally established standards and would really put us in a very difficult position internationally.

Thank you.

The Bailiff: Deputy Le Tocq.

Deputy Le Tocq: Thank you, Mr Bailiff.

I will try and be brief. As Deputy Gollop alluded to, there are obviously implications, I think, in terms of both our international relations and our potential future trade agreements in both of these amendments, to be honest, but I will come on to the other one when we get to general debate.

But with this one whilst, personally, I would both as an individual citizen of this Island and as a follower of Jesus, actually detest the sort of practices that are alluded to here, I think there is a difference between a personal dislike of those particular things and being able to argue that and, on the hoof making a decision, that we as a community, will bring in legislation to ban it without seeking to know what the implications of those things are.

I would be, therefore, very nervous about doing so in this way without proper consultation as to the implications of those things, particularly, at the very least, because they involve religions that are very much fought for, in every sense of that word, in the world and with whom we know right across Europe there are increasing numbers of people represented.

So I think, whilst I am sure it is well intentioned, we do not ... *[Inaudible]*

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir,

805 Thank you to Deputy Le Tocq for giving way, I am just wondering if, perhaps, he is able to advise in the remainder of his speech whether he has yet had an opportunity to get any advice from his External Relations team as to whether there are any wider external relations or, indeed, international commitments that might be in play.

810 I am thinking not only, of course, of the European Convention on Human Rights but there may well be other conventions which have not yet been considered, and I am wondering whether there has been that opportunity to consider that matter?

Deputy Le Tocq: The answer to that is no, not yet, but I can, from my own knowledge, certainly indicate the freedom of religion aspect that we are signed up to would certainly come into play here. It would certainly affect our ability, in terms of the UK, looking to do free trade agreements 815 with the Gulf, which is happening at this moment, so there are those things that would have fairly serious implications. So I would be very cautious and I would ask every Member to be very cautious before blindly thinking on the face of it, this is something I agree with personally without seeing the implications for us as an Island community.

820 **The Bailiff:** Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

825 The Arabic word *halal* means permissible and the rules of slaughter are based on Islamic Law. The animal has to be alive and healthy, a Muslim has to perform the act in the appropriate ritual manner, the animal's throat must be cut by a sharp knife, severing the carotid artery, the jugular vein and the windpipe and blood must be drained out. This can take up to four minutes. Whatever your other thoughts, that cannot be right.

830 Deputy Parkinson and Deputy Le Tocq mentioned our reputation, but I would have said that our reputation would be enhanced if we make a stand. Deputy Roffey said that it is banned already. Well, I did point this out in my speech in general debate that it was not currently allowed, but I pointed out that the Committee can prescribe exemptions and I wanted an assurance that they would not prescribe an exemption for ritual slaughter, but these assurances, with respect, mean, effectively, nothing, it is at a time in the future. It may be well intentioned now, but things change. So this amendment is a way of putting that down on paper and putting it to the Committee to bring 835 it back in the legislation.

840 Now I will just go back to Deputy Le Tocq, I do not know if he is aware, but in the European Union, Sweden, Denmark, Finland and Estonia have all banned ritual slaughter and it has not done them any damage. So it is nothing to do with relations. As we all know the EU is very prescriptive, they can do it even being in the EU, so little old Guernsey, I think it would enhance our reputation to ban ritual slaughter.

It is all very well people saying, 'I do not agree with it,' well you need to put your vote where your mouth is. To me, it is not acceptable to say, 'Well I do not personally agree with it but we have to throw this amendment out because the rest of the world may not like it.' Be firm, be steadfast and vote for it.

845 Thank you.

The Bailiff: Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

850 I tend to agree with Deputy Le Tissier here that I am not entirely sure we are not over-egging the pudding and saying that to make this decision would suddenly have us as pariahs of the world stage, where 'How dare you make that decision!' Deputy Le Tissier just gave some examples of countries that already do this.

They are okay with us not invoking Sharia Law, or any other real proper big things and we are still allowed to trade with all sorts of countries. So I am not entirely sure that we are not over-egging this. Also there is the confusion that Deputy Le Tocq and others have mentioned that we run the risk if we do not allow this, but when Deputy Roffey was speaking and was noting that he thought it was already effectively banned Deputy de Sausmarez did not jump to her feet, but she was nodding in agreement with the comments that he was making to suggest that it is already banned in any event, albeit under different regulations or ordinances. Therefore, I am not sure that the other reasons that will be cast aside from trade agreements, etc. are not already in play then.

If this is already banned and you cannot do it in Guernsey then how come we are already not falling foul of upsetting other countries in terms of trade agreements and those things. So if Deputy de Sausmarez can state that this is definitively banned already and if she can contact someone now and tell us what regulation that is then I might change my mind, but otherwise I am inclined to support this and I do not think we should be scared to do so.

The Bailiff: Deputy Taylor.

Deputy Taylor: Thank you, sir.

My initial reaction to both of these, particularly this one a last minute amendment, they are just not *kosher* (*Groans and Laughter*) and then I had to look a bit further into it. But actually, *Shechita*, if that is pronounced right, quite literally is *kosher*. According to a Jewish website on definitions, it is the Jewish religious method of slaughtering permitted animals and poultry for food. It is the only method of producing *kosher* meat and poultry. So this literally would not be *kosher* to vote this through.

But my question, I suppose I pose to Deputy de Sausmarez when she sums up is, how much consideration was given to this as part of drafting the original policy? Because I feel there are lots of points in the original policy letter that do not necessarily apply to us, I do not think we have got anyone lining up to produce *foie gras*, I do not think we have got anyone lining up to produce *halal* meats on the Island. So I am not particularly worried if we vote this out and move on. But as it has been raised, I would just be interested to hear from Deputy de Sausmarez what consideration was given to this when they were drafting the original policy letter.

Thank you.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: I will be brief, sir.

My objection to the amendment is that there has been no consultation whatsoever, just on the hoof and we are going to talk about the Latimer principles later – well hopefully we are going to be doing it later – but I reference the Nolan principles about standards and public life and how we are meant to act and the importance of objectivity and using and looking at best evidence.

But we have got no evidence, people have got their views and I can understand it, but I do not think there is anybody in this room who is a follower of Islam or a follower of Judaism. I might be wrong, but we have got no representative from that community in this room and we have not done any consultation with anybody in that community either.

I just feel that, now, I have my own views and it is not something that I want to see but I just think in terms of good governance we should be, at least, having some form of consultation, particularly in light of the comments that Deputy Parkinson said and I think we need to really be very careful. We can feel quite isolated here and think we can make big decisions and nobody cares but this is a very small world nowadays and things that are decided in little old Guernsey can have repercussions around the world.

So I would just say, let's be careful here what that work could do and Deputy de Sausmarez can give more information in a minute. But I just think to explicitly put this into an amendment that has

905 not received any consideration by any officers and the External Relations, in particular, have not had any chance to give advice on this, I think we need to be very careful.

Thank you.

The Bailiff: Deputy Leadbeater.

910

Deputy Leadbeater: Thank you, sir.

I am not going to support this amendment. I am not a fan of ritual slaughter. I am not a fan of animal cruelty, but there is no evidence to suggest that we have an issue with ritual slaughter and I think when we are making rules and regulations and legislation we have to have evidence to underpin it (**A Member:** Hear, hear.) and I do not think there is any evidence to underpin this. (915 **A Member:** Hear, hear.) So for that reason, I am not going to be supporting the amendment and I would urge Members to do the same. (*Interjection*)

Thank you.

920

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, seeing as there is so much focus been put on upsetting certain sections of society if this amendment succeeds, I rise to simply ask the question of those who know the answer; do we have any trade regulations with Spain, a country where bullfighting is not only (925 allowed but celebrated?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you and I will not repeat the essence of what Deputy Soulsby said (930 and furthermore by Deputy Leadbeater but it would be remiss of me, having stood in this Chamber on multiple occasions and lamented the lack of process that we put into our amendments. I have every sympathy with this amendment, every sympathy, I think that we do need to be thoughtful about this in the future, but having sat in Deputy de Sausmarez's position many times and been at the behest of amendments, well-intentioned amendments, just flying in from the floor of the (935 Chamber that, actually, it would have been really helpful to have some form of engagement with the Committee before. (**A Member:** Hear, hear.)

I do not like being at the sharp end of that and I do have sympathy with Deputy de Sausmarez in this instance. Literally just last week, Deputy Roffey was engaging with me through the media, it is great to speak face-to-face but I will not go into the next debate around Latimer House principles, (940 which is where I will be waxing lyrical about that. But as I say, I have got every sympathy with the bringers of the amendment and on another occasion, once the consultation is done, I would no doubt be supporting this, but at this time I cannot for the reasons that I have stated.

Thank you.

945

The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: I think we have got to live in the world of real politics and realise where we are and I think the most pertinent speech of all of those in this, now, lengthy debate on this amendment was that of Deputy Parkinson, because he was not saying, if I understood him correctly, (950 that this should never come back before anybody and be considered, it is just that it ought to be considered in due course with due propriety.

The amendment is well intentioned by two people of great conscience in relation to where we are, and I support it and I do not want to be unpunny or too punny, but *Animal Farm*, you know, some animals are more equal than others and some people seem to have more rights than others, (955 but that is the real world, that is where we live.

I fully accept what Deputy Le Tissier has said. I have not done the research that Estonia and various other places in Europe have already banned this practice and it is horribly cruel and we are talking about animal welfare legislation, that is what this whole policy letter is about, it is about tightening up on legislation to protect animals where we can, but it has got to have a degree of practicality.

So I am going to reach the same conclusion as, I think, most of the speakers, including Deputy Leadbeater but I did smile inwardly when he said, 'Well there is not a problem so why should we pass this amendment,' when there was not a problem yesterday in the amendment brought by Deputy St Pier but he was quite happy to vote for that.

So inconsistencies are allowed, people can say one thing one day and one another, but the real politic of this is.

Deputy Leadbeater: Point of correction, sir.

The Bailiff: Point of correction, Deputy Leadbeater.

Deputy Leadbeater: I said there was no evidence to back up this amendment, there was no evidence whatsoever and you cannot really conflate it with yesterday's vote on that amendment because that was only to consider something in the future.

Thank you.

Deputy Ferbrache: I am grateful for that point of correction and I am not going to get too much into that, but just to say there was no evidence there otherwise. (**A Member:** Hear, hear.) But anyway, that is a matter that has been voted on, we are a democracy and that decision was passed. It was not a particularly good one, but never mind, it has been passed (*Laughter*) and, therefore, the States have got to deal with it. But all I am saying here is that it may be when E&I look at it and carry out research that they will come back and say, yes, there is something to be done. It is just too early.

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

We do not currently have any production of *foie gras* or anything like that, but we are still legislating it. I have been unfortunate to see *halal* being done and on my conscience I cannot vote for this. It is the most awesome thing – (*Interjection*) most *gruelling* thing I have ever seen, gruesome, that is the word I was looking for, *gruesome* thing I have ever seen, so I just cannot, just please vote for this amendment because it is just awful.

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you, sir.

I thought Deputy Le Tissier made a good point when he said, why hasn't this been considered in the original paper? Sir, it is all well and good to give it out to people bringing late amendments, which is commonplace in this States, but has it been properly thought through in the first place? I reach a simply different conclusion, that it has not even been considered.

So, like we said, we are discussing animal welfare and yet it is all right to do this. So I do not think the original paper is particularly well thought out. I do not think this is the best practice, to bleed animals like this, so I am in a difficult spot and I am looking forward to hearing what the President says with what is in place at present before I decide which way I am going to vote. But, yes, I look forward to her sum up, sir.

The Bailiff: Deputy de Sausmarez, do you wish to speak to this amendment?

Deputy de Sausmarez: Yes, please, sir.

Maybe I will start with Deputy Vermeulen's comments first actually. It is not considered, or it is not made explicit, in this policy letter because it is not something that can currently happen in the Island. It would require an exemption to the Law. Now, Deputy Mahoney asked for a reference of what that Law is and I am happy to tell him that it is the Animal Welfare (Requirements for Slaughter, Killing, Euthanasia, etc.) Order 2014 and it explains that, by Law, 'the slaughter or killing of livestock must be carried out by a licensed slaughterman or vet and they must be slaughtered or killed' – that is the livestock not the vet! – 'by use of slaughtering instrument/by exsanguination (bleeding) whilst the animal is stunned.' So an exemption would be required for home slaughter, including non-stun.

Now the issue, as many people during this debate have pointed out, is that this brings in all sorts of religious references, etc. when actually what this legislation is focused on is animal welfare. So, really we should be focused on the method of slaughter, which is non-stun, and had this amendment said something more along the lines of non-stun and left out the religious connotations which, as Deputy Parkinson and others, Deputy Le Tocq have pointed out, do create problems in terms of human rights compliance potentially then I do not think that the States' Vet would oppose it, or the States' Veterinary Officers.

I have not had a chance to discuss with the Committee because when I got the bit of paper in my hand was literally the first time I had heard that this amendment was even coming. It is frustrating because I think quite a lot of this debate could, perhaps, have been circumvented. We could have straightened out a few things had there been a bit of engagement with the Committee ahead of time.

All credit to Deputy Kazantseva-Miller, who was the one person who did get in touch ahead of this debate with a question and we were able to clarify that. But I think, perhaps, some of this debate could have been a little bit more structured had that engagement with the Committee taken place ahead of time.

As it stands, I am afraid I cannot give a Committee view because the Committee has not had a chance to discuss it at all. The Committee did not know it was coming, but I can give the view of the States' Veterinary Officers, which is that this is unnecessary at the moment. Obviously, I think it is important to state that they are very supportive of the sentiment behind it, but from an animal welfare perspective. So it is about non-stunned slaughter, which would require an exemption and, yes, they have never been requested for an exemption of that kind and I do not think they would give it out, I do not think an exemption would be supported very easily by them either.

But I do think, although however well intentioned this amendment is, it is a bit problematic in the way that it is currently worded because of the lack of reference to non-stun, which is really what we need in here and the inclusion of certain religious connotations, which really has nothing to do with the animal welfare issue, which should be the focus of this legislation and any Resolutions relating to it. So, hopefully, that covers the main points that have been raised in debate. For that reason, I will be voting against this very well intentioned amendment, safe in the knowledge that I think its intent and motivation is –

Deputy Dyke: Point of correction.

The Bailiff: Point of correction, Deputy Dyke.

Deputy Dyke: Deputy de Sausmarez suggested that I had not made reference to stunning and animal welfare. The amendment clearly makes reference to, unless the animal is stunned throughout the process to total unconsciousness. So the exemption there is where there is stunning to unconsciousness and not partial stunning. That was the point. So I think it is fair to say that is covered.

Deputy de Sausmarez: Yes, thank you. I think that is a relevant point of order and I do apologise for not representing that. But I think had there been any consultation ahead of time, I think, the wording would have been clearer to say the non-stunned slaughter, that is the accepted wording in such matters; and also, obviously, that does not get around the issue of the inclusion of various religious connotations, which is also problematic in its own right.

But I would urge people to vote against this amendment, no matter how sympathetic they are as, indeed, I am to the motivation behind it and I say that as someone who does not eat meat of any kind, no matter how it has been slaughtered. But, yes, I think the amendment, as currently worded, does create a few issues, unintentionally, and so for that reason I would urge people to vote against it.

Thank you.

The Bailiff: I will invite the proposer of Amendment 2, Deputy Dyke, to reply to the debate, please.

Deputy Dyke: Thank you, sir.

I think we need to ask ourselves a couple of questions. Is this method of killing live, alert animals by slitting their throats and hanging them upside down to die over a period of four minutes, do we agree with that? Do we think it is a good thing? (**Several Members:** No.) Probably I think most of us do not think it is a good thing.

So then the question is, do we actually have the nerve to say so without being put off by all sorts of, what I would suggest are not deliberate diversions, but irrelevancies? The process is horrible, it should not happen in Guernsey and what is the consequence? There is no consequence of people who wish to eat this sort of meat obtaining it, it can be imported from the UK or anywhere else. There is no suggestion of banning the importation of it, simply the banning of the horrible process itself.

Deputy de Sausmarez has kindly confirmed that it currently cannot be done anyway, but Deputy Le Tissier has pointed out that the provisions in these proposals do allow for exemptions. So this would put that matter beyond peradventure so that it will be an absolute rule and not subject to exemptions.

Deputy Le Tissier has already pointed out that these bans apply in various countries in Europe. So I think we can take a view that this method of slowly torturing, live, living, thinking, sentient animals to death over the period of four minutes should not happen in Guernsey under any circumstances. (**A Member:** Hear, hear.) Having taken that view which, I think, we all do, do we have the nerve just to go through with it and ask for it to be put into and clarified in the next set of animal rights legislation? I think, respectfully, that we should really vote for this amendment.

Thank you.

The Bailiff: Members of the States, it is time to vote on Amendment 2, which is proposed by Deputy Dyke and seconded by Deputy Le Tissier and I will invite the Greffier to open the voting on Amendment 2, please.

There was a recorded vote.

Amendment 2

Not carried – Pour 9, Contre 24, Ne vote pas 6, Did not vote 0, Absent 1

Pour

Blin, Chris
De Lisle, David
Dyke, John
Helyar, Mark
Le Tissier, Chris

Contre

Aldwell, Sue
Brouard, Al
Burford, Yvonne
Cameron, Andy
De Sausmarez, Lindsay

Ne vote pas

Inder, Neil
Matthews, Aidan
Murray, Bob
Prow, Robert
Roberts, Steve

Did not vote

None

Absent

Bury, Tina

McKenna, Liam	Dudley-Owen, Andrea	Snowdon, Alexander
Oliver, Victoria	Fairclough, Simon	
Queripel, Lester	Falla, Steve	
Vermeulen, Simon	Ferbrache, Peter	
	Gabriel, Adrian	
	Gollop, John	
	Haskins, Sam	
	Kazantseva-Miller, Sasha	
	Le Tocq, Jonathan	
	Leadbeater, Marc	
	Mahoney, David	
	Meerveld, Carl	
	Moakes, Nick	
	Parkinson, Charles	
	Roffey, Peter	
	Soulsby, Heidi	
	St Pier, Gavin	
	Taylor, Andrew	
	Trott, Lyndon	

1105 **The Bailiff:** So in respect of Amendment 2, proposed by Deputy Dyke and seconded by Deputy Le Tissier, there voted in favour 9 Members, 24 Members voted against, 6 Members abstained, and 1 Member did not participate in the vote and, therefore, I will declare Amendment 2 lost.

Does anyone else wish to speak in general debate? Deputy Ferbrache.

1110 **Deputy Ferbrache:** Only, sir, on Proposition 1. Now I have read, as we all have, the policy letter about veterinary nurses and people coming to these Islands to do some task. What is the point of this registration? How does it add anything? (**A Member:** Hear, hear.) All it seems to me, is add bureaucracy and, perhaps, as Deputy Dyke pointed out in an earlier speech, another civil servant. So how is it going to make the cows, the pigs, the dogs, the cats any safer at all?

1115 **The Bailiff:** Well, as I do not see any other Member rising to speak in general debate, I will turn back to the President, Deputy de Sausmarez, to reply on the Propositions as now amended.

Deputy de Sausmarez: Thank you, sir.

1120 I think I will come back to the issue of lamping, which was the subject of the first amendment really and I will try and go through and cover as many of the questions as I can in broad themes, rather than going through individual speakers. I do not think I have missed anyone, but I will do my best.

1125 So Deputy de Lisle, I think it was Deputy de Lisle, no it was Deputy Gollop actually, he talked about wild animals and zoo animals and I can let him know that the 2012 Ordinance defines wild animals as any animal, including a feral animal, which is or was, before it was killed or taken, living in a wild state. The Committee recommends that the use of wild animals in circuses be completely prohibited and it also recommends that the definition of wild animal for the purposes of this prohibition include any animal, including a feral animal, which is or was, before it was taken, living in a wild state, an animal of a kind which is not commonly domesticated in Great Britain, hybrid animals of two wild species, or one wild and one domesticated species, or any other animal prescribed as a wild animal by the Committee.

1130 But the main point, aside from the specific definitions, is that even though this is not a common practice, it is not particularly helpful for there to be this ambiguity in our legislation or this lack of an explicit prohibition so, really, I do not think many people would object to the use of wild animals being used in circuses, etc. and so I hope that is something that people can support.

Deputy Haskins raised a few different points and one of them, which was an issue touched on by Deputy Helyar as well, I think, relates to the enforcement powers and the need for an extension. I can, perhaps, explain to Deputy Haskins that the enforcement powers would not just pertain to the proposals contained in this policy letter, but the existing legislation as well.

1140 So the reason that the current enforcement powers are not sufficient is the problem that we have got is that the States' Vets could receive information regarding an animal in distress, but if it is contained within a building and out of sight the States' Vets cannot determine whether or not that is the case and there have been instances where the States' Vet has been prevented from entering buildings where there is a suspicion of a welfare incident.

1145 **Deputy Haskins:** Sir, point of correction.

The Bailiff: Point of correction, Deputy Haskins.

1150 **Deputy Haskins:** Sir, I believe in that same Ordinance the bar is reasonable evidence and, therefore, if there has been any evidence suggesting that there is an animal in distress they are permitted to enter with immediacy.

Thank you.

1155 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Well, although I am interested in Deputy Haskins interpretation of the Law, I am explaining what the States' Vets' experience has been. So, this is how it has worked in practice. The States' Vet has, indeed, been prevented from entering buildings where there is a suspicion of a welfare incident until he can return with the Police or a warrant and by the time he has returned, the evidence has been gone. This was the senior States' Vet, who is a he, but yes, there are she States' Vets too, sometimes, of the same status.

I can also reassure him that fishing is exempt under the 2012 Ordinance. So he has nothing to fear on that front and also this was something that came up, Deputy Mahoney, I think, raised it as well, when it comes to flies this legislation does not seek to protect the welfare of flies or other insects. As Deputy Haskins, himself, read out the definition of animal, it is about vertebrates and so this legislation is only engaged where the method of trapping insects, flies, etc. present a danger to things like birds and bats and that is why sticky fly traps in an outside area could present a danger.

But just to tidy up, Deputy Mahoney's question, I think, he did also raise this issue about bug traps and mouse traps and I can reassure Deputy Mahoney that they will still be permitted.

Deputy Brouard asked about magpies. He has been a great champion of magpies through the years and Larsen traps and, as Deputy Brouard knows, they are licensable at the moment and actually people have to sit an exam to use them and he may be reassured to know that the last licence issued was back in 2017 and, I think certainly personally, I would hope that in the future they would be entirely eliminated. But I hope Deputy Brouard can take some comfort from the fact that they seem to be in very much declining use.

Deputy Haskins – sorry jumping around a little bit here – asked about the regulation of other animal related businesses and activities. The 2012 Animal Welfare Ordinance already provides for licensing of certain animal related businesses and activities such as boarding kennels, farriers, livery stables and the like, but does not cover the full range of animal related businesses operating today, not least because that range has very much expanded since 2012, in fact, it has grown significantly in recent years.

We think we have had, and we do not have any particularly accurate data on this actually, but we think there has been a significant increase in the number of dogs in the Island. I think the pandemic probably was a factor in that, but we think perhaps there are up to 10,000 dogs in the Island at the moment based on what data we can get our hands on and there are a lot of other businesses that have emerged to help people care for their animals.

So the 2012 Ordinance already provides for the Committee to adapt the licensing framework itself through regulations and orders and we have been looking at where any gaps might be. But to reassure Deputy Haskins we have not started that process in earnest yet and we do intend to engage with and consult the relevant businesses and their clients and Islanders in general, through

a consultation process because that could, potentially, impact quite a wide range of businesses. But in the event that any changes are needed following that consultation exercise we would, of course, make sure that there is plenty of guidance in advance so that businesses can be prepared and, of course, regulations would have to come back to the States anyway.

Deputy Helyar talked about the licensing of pest controllers and while I think we agree with Deputy Helyar that pest control should be done by people who know what they are doing, by competent individuals, unfortunately there are many pest controllers in Guernsey who are not BPCS or approved pest controllers and we are seeking to license pest controllers to ensure that those who use non pesticide control methods are, indeed, qualified to do so.

When it comes to the issue of feral ferrets, I think, that the States' Veterinary Officers would strongly agree with Deputy Helyar that they should, indeed, be added to the pest list because they are, indeed, decimating wildlife and actually, in my opening speech, I mentioned the Guernsey vole and we think that the feral ferrets are probably the biggest part of the problem when it comes to the decline of the Guernsey vole, which is a concern.

However, the practical problem is that once a feral ferret is caught the vets need to determine if the ferret is feral or stray and so really, actually, this touches on something else that Deputy Gollop referred to in his opening in his speech which was the micro-chipping. If there were a requirement for all domesticated ferrets to be microchip then there could well be a way of tackling this issue and I can assure Deputy Helyar that that is something we will give our attention to because I think it is a good suggestion.

Deputy de Lisle talked about welfare standards in dairy farming. I think the welfare concerns that he referred to are covered through the 2012 Ordinance and, what is more, the dairy sector on Island is meeting the standards of the RSPCA, which is a standard that only 3% of dairy farms in the UK manage to achieve and it is a very high welfare standard.

I think we have dealt with the issue of ritual slaughter in debate on the amendment just now and really one of the bigger themes, and this was touched upon most recently by Deputy Ferbrache but initially raised, I think, by Deputy Dyke, is this issue of the propositions in Proposition 1 about regulation. Deputy Dyke asked if I could explain the benefits of further regulation because I can appreciate that sitting here it might – and I am not aware of anyone who is a practising veterinary practitioner other than Deputy Helyar and his pest controlling qualification, but I appreciate that it might – look like additional bureaucracy.

Well, first of all, I will explain the benefits in a second but I think this legislation is about animal welfare and, I think, most Islanders, I am a pet owner myself, I would like the reassurance that actually the practitioners working with animals are, indeed, suitably qualified to do so. So I think that is one important aspect to bear in mind.

But actually there are significant benefits to this registration and let us not forget that this process, we have engaged very considerably with the veterinary practices in the Island and they are supportive of this, partly because it will actually bring benefits to them. So to give one example, some veterinary practices when it comes to receiving medication, pharmaceuticals, some of the pharmaceutical suppliers will not deliver to an unregistered veterinary practice and at the moment there is no way of a Guernsey veterinary practice being formally registered because we do not provide for that.

So, actually, by providing a register of veterinary practice, as well as the safeguards that this legislation is all about, it actually makes veterinary practices' lives a bit easier because it does mean that they do not have to go through the whole rigmarole of explaining that, no, we are not registered practices but that is because we are based in Guernsey and we do not have any provision to do so.

So I would urge Members, I know it must be tempting to look at this as an unnecessary bureaucracy, but I think it is actually helpful. As I said, we have engaged very significantly with the veterinary practices and they are supportive of what we are proposing and so it is very proportionate.

I have not forgotten Deputy Queripel's question, I will come back to it, I promise. But just one more point on this issue around Proposition 1. Members will note that we are not asking for any additional resources for the additional role; that is something that was agreed in policy letters past. So that really does not have any bearing on what is decided today.

But Deputy Queripel got to his feet and, probably to remind me, I think I am right, he had a question about the trout and that is, of course, covered under the Water Pollution Ordinance rather than the Animal Welfare Ordinance and I hope that he can take some reassurance from that.

So we also had Deputy Vermeulen who asked what about the people who like eating *foie gras*? Again, it is a similar answer in that animal welfare legislation does not, and I do not think ever will, cover the importation of food. Animal welfare legislation is about how animals are treated in the Island and so it really does not have a bearing on the importation of food.

So really back to the issue of lamping and night vision etc. just for the avoidance of doubt, night sights will still be permitted, red dotting is still fine for pest control. Really, neither of these methods blinds or dazzles the animal and that is really what that Proposition is seeking to prevent and it is not something that is a common practice because it is already, effectively, not permitted on any public land and it is, at the end of the day, about animal welfare.

However, as I mentioned in my opening speech one of the main considerations that we have had to take into account throughout the development of these proposals is our alignment with international conventions and our compliance with them and this is why this method has been included. So I think the most relevant convention is the Convention on Migratory Birds and Animal Species – I might have got the exact name of it wrong, it falls under the Bonn Convention – and we are a really significant geographical location in terms of migratory birds, so that is one of the reasons why this convention is engaged.

This is really Deputy Le Tocq and P&R's area more than mine, but compliance with international conventions is not just something we do for fun, it does have a material bearing on our negotiating position, I suppose, in terms of free trade agreements; and our compliance with these conventions, which have been extended to us and this one has been extended to us for some time is something that is increasingly scrutinised in the post-Brexit era when we are trying to make those free trade agreements and so I really would urge Members to support all of the Propositions, as amended, and hope that our wildlife and animals in the Island can benefit in due course as a result.

Thank you.

The Bailiff: Well, Members of the States, there are nine Propositions as a result of the success of Amendment 1. What I am proposing to do is to have a vote on Proposition 1 on its own, because I have got the impression that some Members are not necessarily minded to support that and then a vote on Proposition 2, as amended, to remove reference to (e) and (f) on its own. Proposition 2A from Amendment 1 on its own and then Proposition 2B on its own. But I am hoping that for the remaining Propositions, I could take them all together unless there are any requests for discreet votes? Deputy Haskins.

Deputy Haskins: Sir the current Proposition 5 which, I believe, would be ...

The Bailiff: It will still be 5 because we inserted 2A and 2B rather than renumbering all the subsequent. So you would like Proposition 5 discreetly? So we will take 3 and 4 together, then 5 and then 6 and 7. Deputy Gabriel.

Deputy Gabriel: Before we go to the vote, sir, I have to make a declaration under Rule 17(15), a close relative is a director of a veterinary practice.

Thank you.

The Bailiff: So Proposition 1 on its own first please, Greffier. I will invite the Greffier to open the voting, which I think has already happened (*Laughter*) it is like fastest finger first, isn't it?

There was a recorded vote.

1295 *Proposition 1*
Carried – Pour 26, Contre 11, Ne vote pas 2, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Dyke, John	Roberts, Steve	None	Bury, Tina
Blin, Chris	Ferbrache, Peter	Snowdon, Alexander		
Brouard, Al	Haskins, Sam			
Burford, Yvonne	Helyar, Mark			
Cameron, Andy	Le Tissier, Chris			
De Lisle, David	Mahoney, David			
De Sausmarez, Lindsay	Moakes, Nick			
Dudley-Owen, Andrea	Murray, Bob			
Fairclough, Simon	Queripel, Lester			
Falla, Steve	Taylor, Andrew			
Gabriel, Adrian	Vermeulen, Simon			
Gollop, John				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tocq, Jonathan				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				

1300 **The Bailiff:** In respect of Proposition 1, there voted in favour 26 Members, 11 Members voted against, 2 Members abstained, 1 Member did not participate in the vote and, therefore, I will declare Proposition 1 carried.

We will move on to Proposition 2, as amended, so it just refers to (a), (b), (c), and (d). So the current Proposition that is on your screen does include (e) and (f), but just ignore those for now please, Members, and I will invite the Greffier to open the voting please.

1305 *There was a recorded vote.*

Proposition 2
Carried – Pour 37, Contre 0, Ne vote pas 2, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	Roberts, Steve	None	Bury, Tina
Blin, Chris		Snowdon, Alexander		
Brouard, Al				
Burford, Yvonne				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				

Helyar, Mark
 Inder, Neil
 Kazantseva-Miller, Sasha
 Le Tissier, Chris
 Le Tocq, Jonathan
 Leadbeater, Marc
 Mahoney, David
 Matthews, Aidan
 McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Prow, Robert
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

1310 **The Bailiff:** There voted in favour 37 Members, no Member voted against, 2 Members abstained, 1 Member is not participating because she is absent and, therefore, I will declare Proposition 2, as amended to remove (e) and (f), as duly carried.

We will now go to Proposition 2A which arises from the successful Amendment 1 and this relates to what was Proposition 2(e). I will invite the Greffier to open the voting on Proposition 2A please.

1315

There was a recorded vote.

Proposition 2A

Carried – Pour 22, Contre 14, Ne vote pas 3, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Aldwell, Sue	Matthews, Aidan	None	Bury, Tina
Brouard, Al	Dudley-Owen, Andrea	Roberts, Steve		
Burford, Yvonne	Dyke, John	Snowdon, Alexander		
Cameron, Andy	Gollop, John			
De Lisle, David	Haskins, Sam			
De Sausmarez, Lindsay	Helyar, Mark			
Fairclough, Simon	Inder, Neil			
Falla, Steve	Le Tissier, Chris			
Ferbrache, Peter	Leadbeater, Marc			
Gabriel, Adrian	Mahoney, David			
Kazantseva-Miller, Sasha	Oliver, Victoria			
Le Tocq, Jonathan	Prow, Robert			
McKenna, Liam	Taylor, Andrew			
Meerveld, Carl	Vermeulen, Simon			
Moakes, Nick				
Murray, Bob				
Parkinson, Charles				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				

1320 **The Bailiff:** So in respect of Proposition 2A, there voted in favour 22 Members, 14 Members voted against, 3 Members abstained, same Member did not participate and, therefore, I will declare Proposition 2A also duly carried.

1325 We will move to Proposition 2B, which is the second part of the first Proposition from Amendment 1 and that is the separate vote on what was Proposition 2(f) originally, and I will invite the Greffier to open the voting on Proposition 2B, please.

There was a recorded vote.

Proposition 2B

Carried – Pour 42, Contre 4, Ne vote pas 3, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Dyke, John	Matthews, Aidan	None	Bury, Tina
Blin, Chris	Helyar, Mark	Roberts, Steve		
Brouard, Al	Inder, Neil	Snowdon, Alexander		
Burford, Yvonne	Taylor, Andrew			
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				
Vermeulen, Simon				

1330 **The Bailiff:** In respect of Proposition 2B there voted in favour 32 Members, 4 Members voted against, 3 Members abstained, the same Member is not participating and, therefore, I will declare Proposition 2B also duly carried.

1335 We will now take Propositions 3 and 4 together, please. Both of these have been amended just to refer to the above Propositions, rather than Propositions 1 and 2 above. I will invite the Greffier to open the voting on Propositions 3 and 4, please.

There was a recorded vote.

Propositions 3-4

Carried – Pour 35, Contre 0, Ne vote pas 4, Did not vote 0, Absent 1

1340

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	Helyar, Mark	None	Bury, Tina
Blin, Chris		Roberts, Steve		
Brouard, Al		Snowdon, Alexander		
Burford, Yvonne		Taylor, Andrew		

Cameron, Andy
 De Lisle, David
 De Sausmarez, Lindsay
 Dudley-Owen, Andrea
 Dyke, John
 Fairclough, Simon
 Falla, Steve
 Ferbrache, Peter
 Gabriel, Adrian
 Gollop, John
 Haskins, Sam
 Inder, Neil
 Kazantseva-Miller, Sasha
 Le Tissier, Chris
 Le Tocq, Jonathan
 Leadbeater, Marc
 Mahoney, David
 Matthews, Aidan
 McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Prow, Robert
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Trott, Lyndon
 Vermeulen, Simon

The Bailiff: In respect of Propositions 3 and 4, taken together, there voted in favour 35 Members, no Member voted against, 4 Members abstained, the same Member was not participating and, therefore, I will declare both of those Propositions duly carried.

1345 Now a distinct vote on Proposition 5 on its own. Please, Greffier, and I will invite the Greffier to open the voting on Proposition 5, please.

There was a recorded vote.

Proposition 5

Carried – Pour 33, Contre 3, Ne vote pas 3, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Haskins, Sam	Dyke, John	None	Bury, Tina
Blin, Chris	Helyar, Mark	Roberts, Steve		
Brouard, Al	Mahoney, David	Snowdon, Alexander		
Burford, Yvonne				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				

Matthews, Aidan
 McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Prow, Robert
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

1350

The Bailiff: In respect of Proposition 5, there voted in favour 33 Members, 3 Members voted against, 3 Members abstained, the same Member not participating and, therefore, I would declare Proposition 5 also duly carried. Last, we will have a vote on Propositions 6 and 7 taken together, please. I will invite the Greffier to open the voting on those two Propositions, please.

1355

There was a recorded vote.

Propositions 6 and 7

Carried – Pour 35, Contre 0, Ne vote pas 4, Did not vote 0, Absent 1,

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	Mahoney, David	None	Bury, Tina
Blin, Chris		Roberts, Steve		
Brouard, Al		Snowdon, Alexander		
Burford, Yvonne		Taylor, Andrew		
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				
Vermeulen, Simon				

1360 **The Bailiff:** In respect of Proposition 6 and 7, there voted in favour 35 Members, no Member voted against, 4 Members abstained, 1 Member did not participate in the vote and, therefore, I will declare Proposition 6 and 7 duly carried, which means that all nine Propositions, as amended, have been carried.

COMMITTEE FOR POLICY & RESOURCES

7. The Guernsey Financial Services Commission: 2023 Annual Report & Accounts – Debate commenced

Article 7.

The States are asked to decide: -

Whether, after consideration of the policy letter entitled 'The Guernsey Financial Services Commission: 2023 Annual Report and Accounts' dated 28th May, 2024, they are of the opinion: -

1. To note the annual report and accounts of the Guernsey Financial Services Commission for the year ended 31st December, 2023.

1365 **The States' Greffier:** Article 7, the Policy & Resources Committee – the Guernsey Financial Services Commission: 2023 Annual Report and Accounts.

The Bailiff: I will invite the President of the Committee, Deputy Trott, to open debate, please.

Deputy Trott: Thank you, sir.

1370 I know the Commission would like to thank its outgoing Chairman, Julian Winsor, for his contribution to the Commission throughout his tenure as Commissioner and stewardship as Chairman. During this time, among other things, he championed their technology development programme and was an effective and encouraging Chairman. It wishes him all the best for his retirement, upcoming marriage and relocation to the UK, as does the Policy & Resources Committee
1375 and, I would expect, all in this Assembly.

Sir, we are asked to note the audited and unqualified financial statements of the GFSC. The Commission has continued to work very closely with Guernsey Finance on sustainable finance over 2023 and 2024, with the Director General recently chairing a session at the British Venture Capital Association Sustainable Finance Conference and speaking for a moment as the Chairman of
1380 Guernsey Finance, I have been delighted to witness the close working relationship between these two key bodies develop in recent years, with their joint AI conference last year being another key highlight.

1385 Sir, there shall be another joint tech conference on Guernsey, featuring a former Cabinet Secretary and examining matters such as the implications of quant computing for finance, and that is planned for 11th September this year. I mention that date, sir, because I know there are many in this room who will wish to diarise that date; in fact, I can see some people already are.

Sir, as the Commission, and others, continue to work on the Moneyval inspection, the final plenary to decide how well we have done convening in December this year, I think it is important that we recognise how much unsung work goes on in the background to ensure financial stability and the quality of our Bailiwick's major industry. (**A Member:** Hear, hear.)
1390

The Commission is conscious in all that it does, of the need to both uphold high standards and to ensure that Guernsey is an attractive and productive jurisdiction in which to undertake international finance. Now, sir, in asking the States to note these financial statements, if there are any questions I shall refer to the extensive notes I have been given by the GFSC in an attempt to
1395 answer them. I have had advance notice of one question, for which I am grateful, and I do advise

this Assembly, notwithstanding my previous comments, I have received no other advance notice, but we will see how we go, sir.

Thank you.

1400 **The Bailiff:** Deputy Queripel.

Deputy Queripel: Sir, I have in my hand a press cutting headed 'GFSC marks 2023 down a positively unnotable year' and the irony is we are being asked to note.

1405 Sir, I want to once again commend the GFSC for all the good work they do. I have not always commended them, however. Some of my colleagues will recall my first term back in 2012, I criticised them so heavily in my speech three senior Members of the GFSC decided to come and sit in the Public Gallery the very next day to view proceedings for themselves.

1410 In my speech I focused on areas where they really needed to up their game because they were failing in those areas. All credit to them: up their game they did and by the following year those failings had been addressed. I do still, however, have a concern which might seem somewhat trivial to a person with good eyesight but for those of us whose eyesight is not so good, it is a major issue and I am talking about, of course, the size of the font in this report.

1415 There are many people, like me, who have poor eyesight when it comes to reading and even with my strongest reading glasses I really struggled to read this report. In fact, I had to stop on two occasions because I was getting such a bad headache and return to it the next day. Surely it cannot be acceptable, in this day and age when we profess to be inclusive and say we need to include everybody, especially people who have disabilities, such as poor eyesight.

1420 It cannot be acceptable to not put those fine words into operation when the time comes to do so, which is why I have addressed this issue with GFSC and in their response to me they took on board what I was saying, and I give them credit for doing that, and in their response they pointed out that a zoom facility is available online, whereby it is possible to make the font a lot bigger, which is fine for people who can cope with looking at print on a screen all the time but for people like me who are unable to do that they assured me that next year's report will be a lot more reader friendly. Which I am sure is not only music to my ears but also to people like me who struggle to read small print.

1425 As I said earlier, sir, the issue I am highlighting here may seem rather trivial to those who are able to read everything on a screen all the time; to people with hidden disabilities it is a major issue and it really does need to be corrected. Sir, to clarify, yes I did go to Specsavers, and I also tried reading this report with a magnifying glass but that was not at all practical and posed different problems.

1430 Surely we cannot expect anyone to struggle to read something with a magnifying glass when the solution is simply to use a larger font and it will not make the report that much bigger, it is a 66-page report, will not make it much bigger because there are a lot of spaces on the pages in this report that could easily be filled with a larger font. Reports like this are difficult enough to read as it is due to the fact that there is an awful lot of detail to take on board, so surely the easier the report is to read the better.

1435 I fully expect to be ridiculed by some members of the community, perhaps even some of my colleagues in the Assembly, because I am focusing on the readability of the report rather than the content, but I do not have a problem with the content, it is the font, the readability I have a problem with, as do several other people I have spoken to who have poor eyesight when it comes to reading.

1440 Thank you, sir.

The Bailiff: Members of the States, we will now adjourn until 2.30 p.m.

*The Assembly adjourned at 12.31 p.m.
and resumed its sitting at 2.32 p.m.*

**The Guernsey Financial Services Commission: 2023 Annual Report & Accounts –
Debate continued –
Proposition carried**

1445 **The Bailiff:** Deputy Dyke.
Oh, (*Laughter*) I thought you wanted to speak.

Deputy Dyke: I do not want to speak.

1450 **The Bailiff:** Deputy Gollop, then.

Deputy Gollop: I will probably say some of the things Deputy Dyke might say.

1455 Actually, it was interesting and entertaining to hear Deputy Queripel earlier of how initial scepticism of the GFSC has turned into significant admiration. But on the technical point about the readability, I have seen manifestos like this printed in really small grey print. Possibly not always a vote winner, but what is quite intriguing, just to make two further points on it, is I downloaded two different versions of it. One was from the GFSC site and the other was from the States of Guernsey site that the States' Greffier administers, and the extraordinary thing is that the one published by the Regulator is in colour and the one we have online is in black and white.

1460 I do not know why, but of course I know Deputy Queripel in the past has argued against colour drawings and things, which you cannot have it all ways because of the cost of it. But it did occur to me that some of these reports are actually printed in paper form because they are useful for distributing material and so on, and it could be the reason why the print is so small is that they were being economical, because if they had had a larger print font, it might have gone on to 96 pages instead of 70 or 72. So there you go.

1465 But I am much more interested in the content of it, and like Deputy Trott, I will praise Mr Winsor and the team. This is a good achievement as a sort of end of term report, and it is an excellent guide to our success, how we withstood fluctuations in the markets in the last decade, the COVID era and so on, and it is very much a steady as she goes kind of thing, because the text reveals a consolidation rather than a rapid growth, as there is no doubt that there has been significant growth in many areas. But there appears to my lay eye a little bit of a slowing down in the last year in terms of additional funds and fiduciaries.

1470 What is also interesting to note is that the votes we took through Economic Development and the Loan Credit Law has seen a significant new number of people being regulated and the old unregulated financial entities have gone. So there has been an increase in that activity, but that does not necessarily mean that there is new business.

1475 And so I would draw people's attention to the fact that we are going along at a steady pace, but the report does not indicate rapid growth in some areas. What I would also say, though, is that there has been a 10% increase in costs, and the accounts were as good as they are because of the use of existing assets and investments, so that compensated for what might have been a reduction, I think, in the trading surplus from £800,000 to £100,000.

1480 And indeed, the point is made that unfortunately, when fines are made on people who have not perhaps kept to the guidelines, regardless of whether they are perceived as appropriate or not, the money goes straight back into the GFSC, and there is a hint too, that additional staff may be needed.

1485 So I suppose I do support it, but we must continue to maximise our policies of economic development and economic growth in these sectors, and not any slowing down of activity.
Thank you.

1490 **The Bailiff:** Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

First of all I wanted to echo some of the things that Deputy Trott said in relation to the Commission really embracing technology and innovation and especially AI, and really being one of the leading bodies in the Bailiwick last year in convening and bringing and sharing insights through the very successful and fully attended conference that was held in Bedfordshire back in June or July, I believe. They will be following on that theme later in the year with another conference that Deputy Trott talked about, in September, and I really encourage Deputies to attend that.

And what has been really interesting is that sometimes we think AI popped into our lives last year with ChatGPT, but obviously it has been in development for a number of years and the Commission has been developing its own technologies and systems for a number of years, and in the report from the Director General, he talks about how the Commission continued to develop their AI enhanced early warning systems throughout 2023: 'This multi-year program has enhanced the Commission's visualisation and connection tracking abilities, facilitating better understanding of the smaller entities that they supervise.'

He goes on to say that it has been something of a bit of a pioneer system in the world of regulators, and this specialist technology has been showcased to other regulators around the world. So I think it is fantastic to see our Commission being a bit of an innovator and pioneer in embedding AI and other technological solutions in their regulatory work, and I think this really speaks to the need for the jurisdiction to really be on the forefront of embracing innovation and technologies and for the different bodies, whether it is business bodies or Government-funded bodies – Guernsey Finance was mentioned previously, the Regulator and also the Digital Greenhouse and others – working together to progress innovation in financial services.

Deputy Gollop as usual, eagle-eyed, actually spotted what I was looking at, and I do always look at the Authorisations and Innovation page, which is towards the end of the report on page 61, and it does paint a bit of a mixed picture in my view.

While the total number of authorisations and innovation has remained not dissimilar to other years, it is about 500, but because we have brought forward the Lending Credit Finance Regulation, and as Deputy Trott correctly said, it now regulates more entities, you could see that the other categories, investment insurance, banking, fiduciary have not done potentially as well.

So I do think there are mixed stories to be told, and I think this is why it really speaks to the need for the Bailiwick to continue being on the forefront of embracing and embedding innovation, digital transformations, and working together to establish, to develop new products and services, establish new markets, and there is a lot of hard work ahead of us to make that happen.

Thank you.

The Bailiff: Well as I do not see any other Member rising at this point I will turn back to the President, Deputy Trott, to reply to that short debate, please.

Deputy Trott: Thank you, sir. I shall be brief.

Whilst the speeches from Deputy Kazantseva-Miller and Deputy Gollop were most welcome, there was only the one question, and that was from Deputy Queripel. He kind of answered it himself, because I think the GFSC have already reached out to him, but the answer they gave me was very similar, and that is that the website is designed in a manner that allows the expansion of text, such as the financial statements, to a size that is acceptable to all but the most optically impaired, and I understand that assurances have apparently been given to Deputy Queripel that the font size will be larger in the future in the printed format.

So all that remains is for me to ask the Assembly to note – to *note* – these financial statements as at 31st December 2023.

The Bailiff: Thank you very much.

A single Proposition, Members of the States, and I will invite the Greffier to open the voting, please.

There was a recorded vote.

1545 *Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 2, Absent 1*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Burford, Yvonne	Bury, Tina
Blin, Chris			Leadbeater, Marc	
Brouard, Al				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roberts, Steve				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: In respect of that Proposition, there voted in favour 37 Members, no Member voted against, no Member abstained, 3 Members were absent at the vote, and therefore I will declare the Proposition duly carried.

COMMITTEE FOR ECONOMIC DEVELOPMENT

8. Deposit Compensation Scheme Amendments – Propositions carried

8. The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled "Deposit Compensation Scheme Amendments", dated 14th May, 2024, they are of the opinion:-

1. To approve the recommended amendments to the Deposit Compensation (Bailiwick of Guernsey) Ordinance, 2008, as set out in section 3 of the policy letter.

2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

The above Propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committee.

1550

The States' Greffier: Article 8, Committee for Economic Development – the Deposit Compensation Scheme Amendments.

1555

The Bailiff: I understand that this will be opened on behalf of the Committee by Deputy Moakes, so I invite Deputy Moakes to open.

Deputy Moakes: Thank you, sir.

1560

The proposals in this policy letter seek to make a number of amendments to the Deposit Compensation (Bailiwick of Guernsey) Ordinance, 2008 or 'The Ordinance'. The Ordinance was enacted by the States in the wake of the global financial crisis and the impact that crisis had on banks globally, including in the Bailiwick context, on depositors with a locally licensed subsidiary of an Icelandic bank. The Ordinance put in place a deposit compensation scheme (DCS), providing for the payment of compensation to qualifying depositors with Guernsey licensed banks in the event of a default of a bank, up to a maximum of £50,000.

1565

Compensation is funded by a compensation levy that is charged to the remaining local banks after an event of default, and is payable within three months of such default. The DCS has a maximum liability of £100 million in any five-year period, and the maximum amount of compensation would be reduced pro-rata should that maximum be exceeded, in order to cap the potential liability of remaining banks.

1570

In 2009, the Basel Committee on Banking Supervision and the International Association of Deposit Issuers published core principles for effective deposit insurance systems or the 'Core Principles'. The Core Principles were designed to be adaptable to a broad range of jurisdictions, recognising that jurisdictions vary in terms of the size of their banking sectors, governments and their population.

1575

Whilst amendments have already been made to the Ordinance and the operation of the DCS over time, as set out in paragraph 2.3 of the policy letter, the Board of the DCS initiated an independent review of the Core Principles to see whether compliance with the principles and the protection offered to depositors could be enhanced any further.

1580

The outcome of that review was analysed by the Committee's Finance Sector Development team, who engaged with key stakeholders in the preparation of these proposals. I do not propose to go into the detail of the proposed amendments, as I believe the policy letter speaks for itself. The proposed amendments will enhance the compliance of our DCS with the Core Principles, and some amendments are rather technical in nature. Others are substantive and result in enhancement of the protection offered by the DCS to depositors, notably those amendments designed to facilitate faster payment of compensation in the event of a bank default.

1585

Sir, I commend these proposals to the Assembly.

Thank you.

The Bailiff: Deputy Dyke.

1590

Deputy Dyke: Thank you, sir.

1595

I thank Deputy Moakes for his paper, which is clearly and crisply written. I do not have any questions apart from one. How much is this £15 million liquidity facility costing us per annum? And the second part of that question, do we actually really need it? The figure is relatively small relative to our reserves, and there are always funds there that we can bring out from investment. So I just wonder, is it worth maintaining that, is it strictly necessary?

As to the rest, it all seems very clear. Thank you.

1600 **The Bailiff:** On the basis that nobody else wishes to speak in general debate, I will turn back to Deputy Moakes to reply to what Deputy Dyke has said.

Deputy Moakes: Thank you, sir.

I am not 100% sure about the £15 million liquidity figure that Deputy Dyke has just referred to, but what I can tell him is that the States do not provide any funding for the DCS.

1605 Sorry, the States have put in place a standby liquidity facility up to £15 million, which I think is where he is coming from, which could facilitate faster payment of compensation in the event of a bank default, by allowing the DCS access to funding pending payments for compensation level to local banks. Any funds advanced under this facility would be required to be repaid by the DCS to the States following payments of compensation levied by the banks.

1610 So hopefully that answers the question. We could pay that money out, but we would get it back.

The Bailiff: Well, Members of the States, there are two Propositions that are interrelated and therefore I propose to put them to you together, and I will invite the Greffier to open the voting on the two Propositions, please.

1615 *There was a recorded vote.*

Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 2, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Burford, Yvonne	Bury, Tina
Blin, Chris			Leadbeater, Marc	
Brouard, Al				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roberts, Steve				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				

Trott, Lyndon
Vermeulen, Simon

1620 **The Bailiff:** And the voting in respect of the two Propositions was that there voted in favour 37 Members, no Member voted against, no Member abstained, 3 Members did not participate in the vote, and therefore I declare both of the Propositions duly carried.

REQUÊTE

9. The Commonwealth (Latimer House) Principles: The Role of the Parliamentary Assembly within the 'Three Branches of Government' – Debate commenced

Requête

The States are asked to decide:-

Whether, after consideration of the Requête entitled "Commonwealth (Latimer House) Principles: the Role of the Parliamentary Assembly within the 'Three Branches of Government'" dated the 3rd June, 2024 they are of the opinion:

1. To agree that the Latimer House Principles are relevant to ensuring that Guernsey maintains a strong and functioning democratic system which underpins the components of a state (the legislature, the executive, and the judiciary) and that this requires recognition in order to increase the capacity of the States of Deliberation by ensuring that its Members have appropriate space and support to undertake their role as elected representatives.

2. To direct that the States' Assembly & Constitution Committee should consider and report back by June 2026 to the States of Deliberation with any recommendations for the adoption of an appropriate version of the Model Law to establish a special purpose parliamentary body to oversee the institution of the States of Deliberation as a parliament, having regard to our size, scale, and system of government.

3. (A) To designate Court 3 (the Assembly) and the current Royal Court Library as 'parliamentary estate'; and

(B) To change the order of priority for the use of the parliamentary estate such that in the first instance it is designated as space for the use of the States of Deliberation and its Members and thereafter it shall be available for use by the States of Election, the courts and for ceremonial occasions; and

(C) To direct the Policy & Resources Committee and the States' Assembly & Constitution Committee in liaison with the Royal Court to agree and make such detailed arrangements as are practically necessary to give effect to this proposition as soon as feasible whilst ensuring the most efficient use of the parliamentary estate by the States of Deliberation, its Members, and the Royal Court.

4. To direct the Policy & Resources Committee and the States' Assembly & Constitution Committee to consider the practicality of further designating Court 6 (the old Greffe's office below the present Royal Court Library) and adjacent office as parliamentary estate and/or identify from within the States' estate additional space suitable for parliamentary and Members' uses, consulting with among others the Royal Court and St. James' Chambers.

5. To direct the preparation of any necessary legislation.

The States' Greffier: Article 9, Requête – The Commonwealth (Latimer House) Principles: The Role of the Parliamentary Assembly within the 'Three Branches of Government'.

1625 **The Bailiff:** I will invite the lead requérant, Deputy St Pier, to open the debate, please.

Deputy St Pier: Thank you, sir.

I would like to begin by thanking my fellow requérant. Deputy Ferbrache and I began discussing this matter last December, when he had a little bit more time to focus on the matter and development of what is before Members today has been the result of a highly iterative and collaborative approach, and whilst many Members have contributed their feedback, I would like in particular to thank Deputies Aldwell and Dudley-Owen for their constructive engagement, which has so shaped what is in front of Members today. And I would also like to thank you, sir, the Policy & Resources Committee and the States' Assembly & Constitution Committee for their letters of comment. We are grateful to SACC for their broadly favourable response.

Sir, with housing, cost of living and climate crises, it would be trite and easy to dismiss this Requête as institutional navel-gazing and irrelevant to our community's key challenges of the moment. However, the eclectic mix of requérants drawn from across this Assembly is a demonstration of why this requête is highly pertinent to our ability to meet the needs and expectations of our community in the modern era. It is no coincidence that the Members party to this requête have played an active role in the Commonwealth Parliamentary Association and have therefore come to understand the need for a strong parliament to be able to deliver effective Government.

Dealing first with Propositions 1 and 2, it must be acknowledged – as Deputy Roffey, I have no doubt, will point out – that Guernsey does not, of course, have a model of Government with a nice, neat separation of powers between the Legislature, the Executive and the Judiciary, described by Montesquieu during the Age of Enlightenment.

In particular, of course, the Executive and Legislature are fused through this Assembly with most executive functions delegated to our Committees. Whilst the Judiciary are, rightly, separate and independent from the Executive and Legislative branches of Government, of course, the States of Deliberation sits in judicial space.

P&R have quite correctly pointed out that the Latimer House Principles are just that, a set of principles widely regarded as good practice. They are not, and cannot, be a template for our system, which has its own historical evolution and culture. The requérants are not seeking to impose a model on our system that will not fit or work.

Proposition 1 is not adopting the Model Law or the Latimer House Principles, but is simply agreeing that the principles have relevance, which is uncontentious.

Proposition 2 is simply seeking to direct SACC to consider and report back to the next Assembly, with recommendations, if any, for the adoption of an appropriate model, having regard to our scale and system of government.

Why? Why bother? Because we have to be honest and acknowledge that if our parliament and our parliamentarians are not appropriately structured and resourced, they are hamstrung and cannot hope to do their job properly or even adequately. Our Greffier is a bit of an artificial construct, effectively serving under the warrant of His Majesty's Greffier from within the judicial branch, and he and his team are civil servants employed by the executive branch. States' Members have no resources beyond a laptop to support them in their work, with extremely limited space to meet each other, and none whatsoever to meet the people we serve. On any benchmark exercise against which P&R have agreed is good practice, we would fall well short.

Requérants acknowledge and agree with P&R that there are no resources to progress a Proposition 2 during the remainder of this term, and it will need to be factored into the next term's planning.

Turning now to Proposition 3, which designates this Court and the Royal Court Library next door as parliamentary estate. In practical terms, little will change. Certainly not the hyperbolic dystopian vision of the breakdown of the administration of justice hinted at in advocate Gordon Dawes column in today's *Guernsey Press*.

The space will need to continue to be pragmatically shared, but it will give effect to the will of the States, expressed on more than one occasion a quarter of a century ago, albeit in much more limited form now than then intended. As noted in paragraph 6 of the Requête, this was expressly

intended at the time of the Board of Administration's policy letter dated 10th February, 2000, entitled Extension and Refurbishment of the Courts, which approved the development of the new section of the Royal Court.

The policy letter said the extension would mean:

... greater use of part of the Royal Court buildings for parliamentary purposes will be possible, and it is essential that those involved in the parliamentary process have adequate facilities. Their accommodation should be of a standard commensurate with the proper and efficient conduct of parliamentary business.

Despite the intended objectives and outcomes from the project, there has in fact been not one iota of improvement in parliamentary facilities or change in the Chamber's layout since that project's completion.

In a report dated 11th April, 2002, it was stated that:

... it is no longer appropriate that the Island's Parliament should meet in a Chamber whose primary function is the Royal Court, and the present Royal Court should be adapted for the purposes of the States' Chamber once the new court buildings are erected. The Royal Court should be altered to provide semi-circular seating appropriate to a modern parliamentary system.

In addition, it was proposed that there should be ancillary facilities including a Members' Room, Library, research facilities, small meeting rooms and facilities for support staff, together with appropriate level of security both within the Court House and the Chamber itself.

In May 2002, the States then resolved to direct the Advisory & Finance Committee to report to the States and submit appropriate proposals for the design and equipping of the States' Chamber and supporting facilities. The intent and will of the States a quarter of a century ago has not been acted upon. It has been ignored. Ironically, perhaps, the States' collective failure in the intervening years to act on those Resolutions has been a contributory factor to its inability to govern effectively and act on so many other Resolutions too.

In the tour of the Royal Court building of States' Members before this morning's Meeting, the Royal Court's Head of Operations said that in his view, there are nooks and crannies that are underutilised.

Sir, today is not the day and this place is not the place to discuss every nook and cranny that may or may not be underutilised. All Proposition 4 calls for is what the public will expect – a structured, professional dialogue between interested parties to explore whether the shared use of this building can be managed in a way that best uses that space.

The requérants are not seeking an independent, separate parliament, a standalone building or even parliamentary chamber. That would not be appropriate given our size and constraints on public finances. We are seeking a classic Guernsey pragmatic compromise which, with goodwill and common sense, can be made to work. A compromise which will enhance the States of Deliberation without imperilling our justice system. Indeed, the very construction of the Requête itself is a product of that common sense and compromise, by providing a mechanism in Proposition 4 for further engagement in relation to additional space. A Proposition that arose directly out of feedback from the Royal Court.

Sir, we look forward to debate and Members' support for the Propositions in this requête.

The Bailiff: Members of the States, in accordance with Rule 28, I will turn to the Policy & Resources Committee, and I understand that the Vice-President, who signed the letter of comment, will give the Committee's view.

Deputy Soulsby: Thank you, sir.

I understand that I will have the right to speak at the end as well, and I am happy to leave it till then.

The Bailiff: And similarly, I will turn to the one Committee that has been consulted by the Policy & Resources Committee, the States' Assembly & Constitution Committee, and invite Deputy Meerveld as its President to say anything he wishes to at this stage.

1725 **Deputy Meerveld:** Thank you, sir.

I am not going to bother re quoting what the Committee has said in their letter of comment. I am just going to comment more broadly.

On Monday, I gave an interview for the *BBC* regarding the next election, and I was challenged with the usual remark 'Is this the worst States ever?'

1730 Part of my response was saying, well, actually the public got exactly what they voted for, but I then expanded that to say ... so in other words the electorate has to take some responsibility for that as well. But I pointed out that even if you elected the best possible candidates, if they were elected into a dysfunctional system, they will struggle to perform.

1735 Basically, any government constantly needs to be reviewing its functions and how it operates, and how it can change to meet the ever-changing needs and expectations of our community, as our community changes and as our range of services we provide, as the demands of our society change, we have to change with it.

1740 Now we have gone through a Machinery of Government Review, and admittedly, that has not been as progressed as quickly as we wanted this term, but many Members have questioned that and said, where is that Machinery of Government? What are we going to change? The Machinery of Government Review, well certainly the way we have done it, looks more at the structure of Committees and the interaction between Committees and the Civil Service, and where civil servants are placed to support Committees. So that is that side of it.

1745 SACC has been, unfortunately, again challenged with some resource issues and staff absences, looking at the Rules of Procedure, which looks at how we function in this Assembly and how we interact with each other, and we are planning on bringing some proposals to the States, hopefully later this year, we will address things like the late amendments that we have been suffering today, and a different way of handling amendments and the reading of papers that may help improve that process.

1750 But there is another section that we have overlooked completely and which I believe this Requête addresses, and that is how we function as a parliament, a government and a legislature. How we try and bring ourselves, change the way that we look at ourselves, we view ourselves and the way we work together.

1755 So myself and the majority of the SAC Committee are very supportive of this Requête and think that this review will fit very well in the next term alongside further reviews of Machinery of Government and the ongoing iterative process of evolving our Government over time to try and maximise our ability to meet the expectations and the needs of our community.

1760 So my comment to Members is only this, that when we debate this going into general debate, I would just like to remind Members we are only here instructing the SAC Committee to go, or the future SAC Committee, to go away and review this and come back with recommendations. I am hoping that Members will refrain from going into the pros and cons, or the detail of what it could be before presaging that review, as we did with the electoral age discussion yesterday, where we were talking about something that was really just an instruction to review, but everybody got drawn into discussing the details.

1765 I hope that the Assembly will see that supporting this amendment does not change anything. It does not put anything else in stone. But what it does do, is hopefully initiates a review process that will come back with informed opinions and recommendations in time.

Thank you, sir.

1770 **The Bailiff:** Well, Members of the States, there are two amendments that have been submitted. I am simply going to take them in numerical order rather than any other order. Deputy McKenna, is it your wish to move Amendment 1?

Deputy McKenna: Yes, please, sir.

1775 **The Bailiff:** In that case, I invite you to do so.

[Amendment 1](#)

To delete Proposition 3 and 4 and replace with the following:

'3. To direct the Policy & Resources Committee to consult with HM Greffier on the availability of suitable space and facilities for Members of the States during sittings of the States, and to report back to the States with any recommendations.'

Deputy McKenna: Thank you very much, sir.

1780 I would like to thank Deputy de Lisle for seconding the amendment, to the Greffier's office for many weeks of hard work to help me through this, and also to His Majesty's Greffier for his input, and to the former Bailiff, Sir Geoff Rowland, for his wise counsel on this matter.

1785 I laid this amendment, sir, because the original requête, led by Deputy St Pier, I believe it has become a Trojan horse. The original requête aimed to replace the Bailiff as the Speaker or Presiding Officer of the States' Assembly, because in *The Guernsey Press* Tuesday, 4th June, page 3, the proposal, led by two former Policy & Resources' Presidents, said that they would shelve the idea of replacing the Bailiff ...

Deputy St Pier: Sir, point of order.

1790 **The Bailiff:** Point of order, Deputy St Pier.

1795 **Deputy St Pier:** Sir, Deputy McKenna is not addressing himself to the amendment, and he is referring to Propositions which are not before the Assembly, and I think to drag either the amendment or general debate into a debate about the role of the Presiding Officer is particularly challenging when the Presiding Officer is in the Chair, sir.

It is not a matter which is before this Assembly, and Deputy McKenna should be addressing himself to his amendment.

1800 **The Bailiff:** And I agree with that, Deputy McKenna. Although you set the scene, can you now concentrate on why the amendment is better than the original Proposition?

1805 **Deputy McKenna:** My apologies, sir, to the Assembly and to Deputy St Pier. I unfortunately do not have the vocabulary or eloquence that he has. As I said, that is why I called it the Trojan Horse. *Timeō Danaōs et dōna ferentēs*, I fear the Greeks bearing gifts, and I fear the Greeks bearing gifts. So, I will go straight to the Latimer House Principles, sir.

1810 So the Requête to introduce Latimer House Principles, in my opinion, sir, are lofty goals. There is no off-the-shelf Government. Constitutions develop over time within the context of tradition and culture, and it was pointed out yesterday afternoon international standards can be useful traditions, but only as a guardrail through the democratic institution that we have before us, and it must not override the culture, tradition and history that Guernsey enjoys.

Should we be discussing this in the States' Assembly when our States' community is staring at becoming generation ...

1815 **Deputy St Pier:** Point of order.

The Bailiff: Point of order, Deputy St Pier.

Deputy St Pier: Sir, Proposition 3, which Deputy McKenna is seeking to alter, is not dealt with ... the Latimer House Principles are not referenced in Proposition 3. Deputy McKenna appears to be

1820 speaking in general debate. His comments are entirely legitimate, but they are not pertinent to either the amendment or indeed the current Proposition 3 as drafted.

1825 **The Bailiff:** Deputy McKenna, the amendment is designed to replace Propositions 3 and 4 with a single Proposition, and it is only that that is in play at the moment. So it is important that you concentrate on why the amendment to delete those two Propositions and replace them with a single Proposition is better than the two original Propositions, and not broaden it out. You will have an opportunity to have your say on whatever the set of Propositions will be, as and when we get to general debate.

1830 **Deputy McKenna:** Once again, my apologies, sir.

I think what I was trying to get to is the requérants believe that the Royal Courtroom known as Court 3, that the States' Members could have primary use of a rarely used courtroom as well as Court 6. Now, I hope you will agree, sir, justice is not a service that can be delayed. It is important that we maintain efficient courts. So this means we must ensure our justice system can call on the necessary resources to meet its service requirements.

1835 The UK offers a detailed example of what happens if we rob courts of adequate space. Extensive backlogs, delays in prosecution and leading charities declaring serious crimes effectively become decriminalised as perpetrators are unlikely to see the inside of a courtroom.

So under Latimer House Principles, sir, Section 4, subsection (c):

(c) Adequate resources should be provided for the judicial system to operate effectively without any undue constraints which may hamper the independence sought.

1840 So the Deputies are then being asked to support Latimer House Principles, but are then being asked to reduce the resources available to the Courts.

Now we are living in a more regulated and legislative world. With more laws comes more lawbreakers. With more lawbreakers comes greater need for court resources. Court 6 is regularly used for child-care cases. That requires immediate and flexible emergency access to protect the child from abuse, and this, I believe, should be our priority.

1845 His Majesty's Greffier said this morning, as he did a tour for anybody who wanted to see, the Royal Court needs surplus courtrooms to ensure it can deal with emergency situations. So, His Majesty's Greffier said, he actually said, we could do with an extra court, not less.

I will leave it there, sir.

1850

The Bailiff: Deputy de Lisle, do you formally second Amendment 1?

Deputy de Lisle: I do, sir, and I would like to ask permission to speak now, sir.

1855 **The Bailiff:** Let me just pause briefly to see if there are any procedural motions from anyone. But if there are not, then I will invite you to speak as well, Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

1860 A strong and functioning democratic system requires a lot more than Latimer House Principles, the separation of powers. Members have appropriate space currently and support to undertake their role as elected representatives. They have the space here in the Royal Court Chamber and the Library next door, together with dedicated quarters in Sir Charles Frossard House. (**A Member:** Hear, hear.) and to be quite honest, I do not see those other facilities being used very much. The Library here is rarely used and certainly Sir Charles Frossard House facilities are rarely used also. And to establish a special purpose parliamentary body to oversee the institution of the States of Deliberation as a parliament, might introduce ...

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Deputy St Pier: Sir, point of order.

The Bailiff: Point of order, Deputy St Pier.

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Deputy St Pier: Again, Deputy de Lisle is speaking in general debate. He is not speaking to the amendment.

The Bailiff: Yes, we are in exactly the same position as we were with Deputy McKenna. It is only really whether Propositions 3 and 4 from the requérants should be replaced with a single proposition as a result of this amendment that we are focusing on now, rather than any broader issues, Deputy de Lisle.

Deputy de Lisle: Thank you for your advice, sir. I just wanted to open with a couple of comments on 1 and 2, but I will go straight on.

But as I said, the States of Deliberation as a parliament might introduce through what we have heard as wants, it could introduce more bureaucracy into the system, and given the fact that the States of Deliberation meet, sir, only once a month, seldom exceeding 30 days, given that, it is very difficult to justify designating Court 3 as a parliamentary estate and change the order of priority for the States, given the increasing pressure on court facilities. And to further designate Court 6, the old Greffe offices and the adjacent office to that as parliamentary estate seems very unreasonable for a small jurisdiction with limited resources and the necessity to share limited court facilities.

Sir, this is all about a Government currently with limited resources, and it is not really a time to be looking at navel-gazing for the States of Deliberation. It will add further to the inflation-busting increases by Government this year: the 20-30% increase in mooring fees; the jump in electricity charges 9%, 13% and 10% this year; TRP hike on the larger properties of 30%-40% ...

Deputy Gabriel: Point of order, sir.

Deputy de Lisle: ... and yesterday, again, the £25 hike in fixed penalties.

Deputy Gabriel: Rule 17(6).

The Bailiff: Point of Order Deputy Gabriel.

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Deputy Gabriel: Rule 17(6), sir. It is not relevant.

The Bailiff: Deputy de Lisle, there will be an opportunity in general debate to make many wider issues if you so wish, but this is only about the amendment that you are seconding, which is, if successful, to replace Propositions 3 and 4, so we do not have to stray beyond the choice between the original Propositions and the amendment.

Deputy de Lisle: Thank you, sir.

The only point I am making is that all price rises this year will have a negative effect on local business, and an economic burden on lower income Islanders, and we cannot at this time afford what is being proposed in Propositions 3 and 4.

And sharing the services of the Bailiff's office as Presiding Officer makes economic sense and preserves the socio-cultural integrity and tradition of the States of Deliberation from my point of view, and the calls on P&R plus SAC Committees to put in resources, the addition of new services to support elected representatives all add to the cost of Government and to the taxpayer.

Thank you, sir.

The Bailiff: Deputy Ferbrache.

1920 **Deputy Ferbrache:** Speaking just to the amendment because I will be speaking at greater length when we come to the main debate. But addressing – and I fully understand the principles put forward by two conscientious Deputies, McKenna and de Lisle, in relation to their amendment, but it actually says delete Propositions 3 and 4 and replace with something which will just go off into the atmosphere and nothing will happen.

3. To direct the Policy & Resources Committee to consult with HM Greffier on the availability of suitable space and facilities for Members of the States during sittings of the States, and to report back to the States with any recommendations.'

1925 So let us look at what actually they are wanting to delete, and let me say this, and when it comes to general debate, I will be able to say without any doubt at all, that I have more experience of this building as a Court building than any other person in this room – *any other person in this room*. And I have also got significant experience, albeit others have greater experience of using this building for States facilities. There are others who have been longer and done, but I have been around a long time.

1930 Now this particular room was, until we had the construction of what is now Courts 1 and 2, was where criminal cases were heard, in the Royal Court. Where Deputies Blin and de Lisle sit there were other people who looked like criminals who sat there (*Laughter*) and I used to sit in front of them where Deputy Falla is, thinking I hope they are not going to get annoyed with my cross-examination, my submissions, but this was the Court.

1935 The prosecution sat where the two gentlemen that are in front of me, Deputies Dyke and Vermeulen, sat. The witnesses gave evidence from just there, just to the side of Deputy Parkinson, the dock, the Judge sat, where you sit, sir, and the Jurat sat either side of him, because generally those days it was a him.

1940 This was the Criminal Court. It was wholly unsatisfactory for its use as a criminal court. It was not secure. It was dangerous. We never had anybody run amok when I was here and I had many criminal trials, more criminal trials than anybody else in the first seven or eight years of the 1980s by a multiple of two or three, more than all the other advocates put together.

1945 That is what people did, because in those days you had a roll call and you were entitled, there were not that many advocates, you were entitled to select the advocate. And sadly for me, and perhaps for them, I was selected on a great deal of occasions.

1950 But we purpose-built, the taxpayer of Guernsey, purpose-built Court 1, which is used for criminal trials in the Royal Court now, and it is a splendid Court. It has got all the facilities, it is secure, it has got ample room, it has got the aura of a criminal court, and we moved the Magistrates' Court from what is now Court 4 up to what is Court 2. The Court 4 was where you used to sit there, the dock was behind you. The Magistrate sat there, the Prosecution Inspector sat there, and the prisoners were brought across from the old prison in the underground.

1955 **Deputy Taylor:** Point of order, sir.

Deputy Ferbrache: That has now changed –

The Bailiff: Point of order, Deputy Taylor.

1960 **Deputy Taylor:** As much as I am interested in listening to this, in fairness to Deputies McKenna and de Lisle, I have to say 17(6). I do not see what the history lesson here ... relevance to the Propositions to be deleted and inserted.

1965 **The Bailiff:** But the difference, Deputy Taylor, is that what Deputy Ferbrache is doing is referring to Propositions 3 and 4 on the face of the Requête to say what the building was used for, and he is describing it, and I hope we will not hear it again in general debate, in order to understand the

difference between the original Propositions 3 and 4 and this amendment. So he is permitted to say what he is saying.

Please continue, Deputy Ferbrache.

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Deputy Taylor: Thank you very much, sir.

Deputy Ferbrache: Sir, I do take note. I know Deputy Taylor likes this. When we come to general debate I will go into even more detailed analysis of how the court system has developed over the last 40-odd years. But what the Deputies McKenna and de Lisle well-intentioned amendment seeks, is just to take away Propositions 3 and 4.

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Now Deputy de Lisle almost handed the baton, as it were, to Deputy St Pier and I and others, when he said this room is only used for about 30 days a year as a States' Assembly. Now nobody is saying this room should be put in aspic for the other 300 days a year, or whatever it may be that it is able to be used. It can be used for other facilities. (**A Member:** Hear, hear.)

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Now I can also say, dealing with Propositions 3 and 4 and the amendment, that this room, although it is used, and was used last week for Court of Appeal, I think, and the learned Bailiff sat for some matter, it is a poor room to use for civil proceedings when you have got, as we do have nowadays in civil proceedings, hundreds and sometimes thousands of pages of documents. It is pretty hopeless. Court 4 is a much better courtroom to use. You have got facilities there where you have got a desk. You can sit down, otherwise you are here.

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So looking at the practicalities of justice, to deal with the point made, and a fair point made by Deputy McKenna, about we do not want to get into the UK situation whereby we cannot get a courtroom. We have got a courtroom, we have got courtrooms for criminal matters, we have got courtrooms for civil matters.

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But let us just see what this says. Look at Propositions 3 and Propositions 4, because all Proposition 3 says is to designate this room and the Royal Court Library as parliamentary estate and simply change the order of priority, not for exclusivity, to change the order of priority, so in the first instance it is designated as use for States' business, as says here. And Proposition 4, because Deputy McKenna again correctly said that Court 6 is often used for child matters, child care matters. He is right, albeit I have appeared here on civil matters too, but the general thrust of what Deputy McKenna said is right.

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But all Proposition 4 says is to direct P&R and SACC to consider the practicality of designating Court 6 and the adjacent office and identify it. So it may be when it is examined that it is found to be impractical to so designate those areas for States' business. All it is saying is can we look into it please. Proposition 3 is more prescriptive because it is saying it shall give priority to States' business. That is all it is saying.

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So therefore, well-intentioned as this amendment is, I ask the States to reject it.

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The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

I have been using the buildings here for some 20 years as a parliamentarian, and the facilities have not got any better from the first time that I arrived here. They have been exactly the same virtually all the way through. Except we did have one time when we were privileged to go to one of the Courts in the newer building, which had slightly more facilities than we have here, and we also had the privilege of going to St James' as well during the COVID period.

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But I think the answer between the two options – which is Deputy de Lisle's one, which is probably a little bit more relaxed and to try and find some space somewhere for us, and the more formal one in the Requête, which I am inclined to support, because that is going to give us some certainty ... it just highlights some of the difficulties we have as parliamentarians.

2015

Recently I had to make some important phone calls on behalf of Health. They had to be done privately. I needed some space immediately because there was a crisis about to happen, or just

about happening. The Library, I could not use because that is available to anybody at any time that we can step out there. The only other room available that we have is the small room next to the cloakroom, which, unfortunately, somebody was doing some ministerial things there, I think it was Deputy Le Tocq was actually in there at the time. So I quickly had to hunt around the building to find somewhere else to do this phone call, which was really important.

So I came across some rooms just up from the Bailiff's office, and it was called the Judges' Room, and there is also the Judges' Library. Now they were empty at the time. There was nobody in there, and I saw a Court official and said, 'Can I just use these rooms for a few minutes? I have got some important phone calls to make.' 'I am awfully sorry, you cannot, they are reserved for judges.' Well, I said, 'Have you got a judge?' 'Well, no, I have not got a judge.' It was, honestly, it went along like a cross between a Brian Rix farce and a John Cleese show.

'So there are no judges here, but I cannot use the room?' 'Well, no. In case we get a judge.' 'But you have not got a judge. No, I appreciate that but can I just use it just for a few minutes and if a judge comes, I will tell you what I will do, I will cut my phone call short and I will move somewhere else.' 'I do not think that is possible because this is part of the Royal Court area and it is not for parliamentarians.' 'What about the room next door, there is a Library, can I use that?' 'I am afraid that is the same thing.'

So I ended up making my phone call in a corridor somewhere. But it would be really nice, and that is why I am going to support the Requête, to change, just for the few days that we are here every month, that we have a little bit more respect and a little bit more space for us, because there are times when people need to make, even sometimes even personal or private calls, or ones for business, or ones for the Island, and you really do need a little bit of space. Maybe a phone, maybe even a desk would be quite nice just to put your papers down or plug your laptop in, just for a few moments while the States is in session.

I appreciate what Deputy de Lisle is trying to do, but rather than let someone else try and find something, I would probably like to have just for that time, that space available to us when we need it, because at times we will need to do things very quickly, and to be able to do it in privacy is especially important.

So I will be supporting the Requête, mainly because it gives you more certainty than someone looking for rooms.

Thank you very much, sir.

Deputy Inder: Rule 26(1), sir.

The Bailiff: Can I invite those Members who wish to speak in debate on this amendment to stand in their places?

And is it still your wish, Deputy Inder, that I put the motion that debate on the amendment, subject to the usual winding up on it, be curtailed? So the motion is that there should be no further debate on this amendment other than hearing from Deputy St Pier and then Deputy McKenna in reply. Those in favour; those against?

Members voted Contre.

The Bailiff: I will declare that lost.
Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Sir, like Deputy Ferbrache, I want to draw Members' attention to the actual wording in the Proposition, because it is obviously deleting Propositions 3 and 4, but it is trying to replace them with a much narrower and actually uncertain Proposition than what 3 and 4 are.

It is talking about directing Policy & Resources Committee to consult on the availability of suitable space and facilities of Members of the States during the sitting of the States. So the

amendment is only concerned with directing Policy & Resources to look at the time we are in Assembly, and I absolutely support what Deputy Brouard is saying; actually I was facing exactly the same situation today when I had to find some space for a call, and it was not easy.

But what Propositions 3 and 4 are trying to say, is that parliamentarians also need facilities and space outside of the time when they are sitting in parliament. So the Requête is broader because it is asking Policy & Resources and other stakeholders to look at the opportunity to utilise the estate we have got available in a practical and pragmatic fashion, not to detract from other users, but looking at those nooks and crannies that might be underutilised, but to make them potentially available for us as parliamentarians to perform our job as parliamentarians outside of the States' sittings as well.

So in that sense, I think the amendment is extremely narrowing and does not serve to do what the Requête is doing, which is opening really the conversation about ensuring we have got the right facilities and giving a very strong direction about where such facilities potentially could be found.

So for this, I ask Members to reject the amendments so that we can get on with the debate. If you do not support Resolutions 3 and 4, fantastic, just do not vote for them in general debate. But this amendment does not in any way improve the Resolutions or Requête whatsoever.

The Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

Yes, I would like to expand on what Deputies Ferbrache, Brouard and Kazantseva-Miller have said.

As I said in the opening, approving this Requête today does not change anything. It instructs SACC in Propositions 3 and 4, with Policy & Resources, to liaise with the other parties involved to find out how practically we can get access to space, and obviously part of that conversation is not compromising the functions of the Courts or other facilities within this building.

But going back to Deputy Brouard's point about needing a space to make a telephone call, we have need for space beyond that. I cannot name a single Government in the world that does not have a dedicated parliamentary space. Jersey has an entire building dedicated to their parliament, with all kinds of facilities.

Admittedly, we have grown up in an environment where we do not have it and people do not tend to miss what they have never had. But I would say that if you want to improve the collegiate working together of an Assembly, then you give them a space where they can gather.

Also, when I first became a Deputy, when constituents phoned me up with delicate matters that you could not discuss in a cafe in front of others, I would invite them to my house or I would go to their house. That is not something I do anymore because you can be accused of having said something or done something, and it can be plastered on the internet in five minutes' time, and you are in a compromised position by being in an environment either in your own home or their home, which is not appropriate.

So the fact is, to perform our functions as a parliament, as a Government, we need spaces of our own, and all this amendment is saying is, as Deputy Ferbrache pointed out, prioritise parliamentary use of this room and the one next door, and consider or consult with the viability of doing it downstairs.

It does not change everything day one. We will not be coming in here over the weekend and using our new facilities. We will be going into a process of consulting with the appropriate parties, including the Courts, to see how we can do it. And as Deputy Kazantseva-Miller mentioned, and Deputy Ferbrache, the amendments laid before us today basically just says we can use the Library, as we currently do, on States' sitting days. It does not address those bigger issues of if we want to become a more collegiate, collaborative and effective parliament, Government, we need facilities to work out of.

The beauty of this Requête is it is not doing, as many other parliaments and governments have done, building a massive new building at great cost to house them, or retrofitting an existing

2120 building. We are looking to practically and pragmatically utilise space that already exists in co-operation with the other users of that space.

So I am not supporting this amendment and I encourage all Members to reject it. And as Deputy Kazantseva-Miller said, if you do not want Propositions 3 and 4, by all means vote against them, but leave them there as they are now and let us have that general debate.

2125 Thank you, sir.

The Bailiff: Deputy Dudley-Owen.

2130 **Deputy Dudley-Owen:** Thank you, sir, and I will save some comments and I will make a punt that they will be still relevant for general debate.

But I do need to address some comments made by Deputy McKenna, because I think that the result of this amendment is to remove the most impactful effect of the Requête, and it is this effect that would make the most positive difference for this parliament, and can have the most bearing on the working environment for Deputies, and many colleagues have stood up and said that now.

2135 It is this effect which I believe is most profoundly beneficial for Deputies and goes to the very essence of why I am a signatory to the Requête and a keen supporter of the direction of the Propositions as currently drafted. I note that Deputy McKenna stated recently in the media, and he has repeated again today, that he has construed this Requête as a Trojan horse for the removal of the role of the Bailiff, and I feel I must personally defend myself against this and explain my intentions, because I think that that leaves a sour taste in the mouths of many in maybe approving this or a seed of doubt, and I really want to work very hard to dismiss that seed of doubt in terms of the intentions of bringing this Requête forward.

2140 The amendment as drafted, and others have spoken to this, does not speak to that matter at all, no matter whether that was in a previous draft or previous musings. It is irrelevant, and therefore to speak of that matter as it being a Trojan horse makes no sense, because it does not mention the role of the Presiding Officer, but instead, as Deputy Kazantseva-Miller very eloquently said, it dilutes the proposals to near non-existence because it limits so greatly what the original Propositions were seeking to do.

2150 So in convincing Deputy McKenna, which I hope I will do, that my intentions have always been about what is written on the page of the Requête that we have before us, and it was really dependent, together with Deputy Aldwell, who Deputy St Pier took time to mention both of us in his opening speech, we made it clear to Deputy St Pier that our support of the Propositions coming forwards were reliant on the proposals not relating to the role of the Presiding Officer of our parliament, which is the States of Deliberation, and as such, therefore, the dual role of the Bailiff would not be in scope of the Propositions.

2155 Deputy St Pier has listened, and in my view has presented the States with a really good quality piece of work, with workable and reasonable proposals. It is my view, and I know I am going slightly off-piste here but it has been mentioned by the bringer of the amendment, that the Bailiff is very much a Guernsey institution and much careful consideration would need to be given to the future of this role before any decision were made to change in this regard.

2160 I would suggest that anyone who wants to make those changes would need to do a significant piece of work which touches on the Constitution of Guernsey, and therefore would be well advised to make known their intentions in good time before making the proposal, so that the public could better understand the role and function of the Bailiff, enabling them to also have their say on the proposals due to the public nature of the institution.

2165 So I hope that I have made it very clear now. I am not going to repeat what others have said in relation ... and Deputy Meerveld has obviously had a look at what I have written for comments for general debate, and I really think it is important for me to put those on record because I think they are very important for people listening outside.

And for Members in this Assembly who are still not sure about this, I am really seeking to persuade you that it is so important, the proposals that we have got in front of us today. But in the meantime, I do urge Members, please, to defeat this amendment because it is really unhelpful and it is not in any way, shape or form what has been cast. There are no Greeks. There are no Greeks in this Requête at all, and so I hope to disabuse Members who may still be cynical.

Thank you.

The Bailiff: Deputy Matthews.

Deputy Matthews: Thank you, sir.

I will not support the amendment. I do appreciate Deputy McKenna's concerns, but I think they are largely probably a little bit unfounded.

But the main reason I think I would not support it is, looking at Propositions 3 and 4, it talks about reprioritising the space here and making it available for use by the States of Election, the Courts and ceremonial occasions in Proposition 3(b), which I think sounds very useful; and in Proposition 4 it talks about making the space available suitable for parliamentary and Members' uses, which also sounds useful. But I think to some extent there actually could be many more uses than that, because one of the things that we have all talked about use by Members and by the States, but these rooms could also be used for things like the Youth Assembly and Citizens Assemblies, and actually even holding things like, if you are people who are in favour of more open Government and transparency, and perhaps even holding Committee meetings or hearings in these rooms, if there were more availability.

I am sure with a bit of imagination a lot more could be achieved, to achieve much more connection with our electorate by having much more in the way of facilities that were made available to us. And so although it is not actually specified in Propositions 3 or 4, I am sure that that would be part of the intention that could be achieved.

So, for that reason, I support the intention to look at what more could be done with these Chambers in future, to encourage greater use and greater participation, where that will be possible.

Thank you, sir.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, sir.

As Deputy St Pier mentioned earlier, I have got experience with the Commonwealth Parliamentary Association, as I am the British Islands and Mediterranean Region representative for the small branches.

So as part of that duty, I have visited two other jurisdictions, one smaller and one large, and certainly been impressed by their facilities. Now I am not green with envy about their shiny palaces, certainly, but – and it is a big *but* – it is what those other jurisdictions' buildings and their space facilitates. It is what it allows their Members to do, to meet, and we have heard from Deputy Meerveld about how he has met in a cafe. I too, have met constituents in a cafe, and when you are discussing delicate matters, you certainly do not want anyone to be overhearing you.

Deputy Kazantseva-Miller, Deputy Brouard as well, and I too, have had to take phone calls or make phone calls about delicate matters with constituents, with civil servants, again in the margins of Meetings, and it is not good governance.

I am surprised at Deputy de Lisle, and also Deputy McKenna, who I have worked with previously and our values have agreed on other issues, but I am going to disagree with them on this issue because I believe that the most efficient use of space is what we should be angling for, and that even might be a cost benefit, not an expense, as Deputy de Lisle mentioned, and that is what Proposition 3(c) mentions: the most efficient use of space.

One of the jurisdictions I visited even has a gift shop and is open to tourists with a revenue stream. You know, I am not saying that we should be going that far for the Royal Court building or this building, this space, but it is an option. We certainly do need all the revenue we can get.

2225 And again, that space available to us could mean more collaboration. It could mean discussing policy letters or even amendments before we receive them at 11 a.m. on the day of debate or anything like that, or with well-researched arguments and well-rehearsed discussions in the margins of Meetings, or if we have parliamentary space available to us on occasion, where we join up and we can collaborate even more.

2230 Most people think that we work at Frossard House. That could not be further from the truth. Most people will know that we have Committee meetings there, but again, there is not space for us to meet and collaborate, and I would urge Members not to support this amendment because, again, it limits what we can do. And again, as other Members have said, if you do not like it, do not vote for it in the main debate.

Thank you, sir.

2235

The Bailiff: Deputy Roffey.

2240 **Deputy Roffey:** I think I am going to be swimming against the tide here somehow. I am not convinced that extra space equals more collaboration, to be honest. I recall being one of the few people who opposed the creation of the Deputies' Room as I think it is called, at Frossard House, because I felt that that space was more valuable and should be used more intensively. I was overruled. I was told that it would be greatly used by Members, that they would come together there. And maybe it is, I do not know, because I have not really been there, but if it is intensively used that is fine but when I walk down to the room on the other side of the corridor, I never seem
2245 to hear very much noise coming out of there. (*Interjection and laughter*)

And as for getting together and not having last minute amendments and collaborating, when I was first in this Assembly, Deputy Bury as it was then, used to organise soon after the Billet came out, because then you had a printed Billet that came out, we used to meet down at the old Ladies College and all discuss it through to see whether we could clear our lines beforehand. It really did
2250 not need us to take over the whole of the Royal Court in order to do that.

If I really felt that this was going to be incredibly well-used, and when we were not using it to facilitate lots of other activity, and that Members were going to come together in an outpouring of unity simply because they have got a room to meet in, then I think I would have almost offered to be a signatory to this Requête, but I am afraid I think that is bunkum, I really do, and I do not think
2255 I will vote for this amendment. I think I will take the advice of those that said that if you are not really in favour of Propositions 3 and 4 then do not do it.

Certainly, what I would say and it is a little bit *en passant*, but if Proposition 4 does lead to an examination and the space downstairs, the old Greffe, does become a parliamentary space, please can we come in through the proper door to this Assembly? (**Several Members:** Hear, hear.)

2260 People have talked about Jersey. I keep hearing about security, but they just seem to have a coat tag on the outside or whatever the reception of coat tags are, and go in and I do not really understand why, but I realise I am I am going slightly off-piste and Deputy St Pier might get up on a point of order and say this has got nothing to do with the amendment.

I do not know if I will abstain or vote against the amendment, but I am really not convinced of this business about, 'Give us space and we will be a collaborative, better Assembly.' I think that lies
2265 in the mindset of the people in this Assembly, and not how many rooms they have got to rattle around in.

The Bailiff: Deputy Taylor.

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Deputy Taylor: Thank you, sir.

I do not really understand why Deputy McKenna or Deputy de Lisle would want to delete Proposition 3 or 3(a), (b) and (c). I am not sure what impact that would have. My understanding is that the States' calendar is produced multi-years in advance, so we know what dates we are going to be in here, and if anyone wants to use it as a Royal Court, they have to work around those dates. So whether we change the name on the door does not really impact this. I am not sure what the problem would be with that.

But the wording of their, what would become Proposition 3, which they would insert, I would like to know what exactly they are thinking with that, because they clearly accept that there is a need to create some space, otherwise they would not seek to direct a consultation with the Greffier. And then that is the other point, why consult with the Greffier?

From the speech that was given by Deputy McKenna, it felt he had clearly taken issue with the use of Court 6, and that should not be considered, and he made some very good points. I do not disagree with his points, we should not interfere with any Family Courts. But if we are consulting with H.M. Greffier, not States' Property Services, what are we going to consult with His Majesty's Greffier on? It would be on this particular building, which is actually probably, in their situation, worse than the original Proposition wording at number 4, which is

To direct the Policy & Resources Committee and the States' Assembly & Constitution Committee to consider ... designating Court 6 ... and/or identify from within the States' estate ...

So it is actually wider, the original wording for Proposition 4, and I think it would actually achieve their aim better than their own amendment, because unless I am misunderstanding it, their amendment would be directing to consider only in this particular building. But if I have got that wrong and they have got some other ideas up their sleeve I would really like to hear them, because I really do think we need some space of our own.

Thank you.

The Bailiff: Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

Deputy Roffey is not alone, because I agree with what he said. I think there is a fair degree of looking at this through some rose-tinted specs. There is a whole bunch of spurious arguments, to my mind, being thrown around here; and listening into this, to pick up on Deputy Roffey's point, you would think that: give us a few more rooms and some sort of love-in is going to break out?

Deputy St Pier and I will be back-slapping each other as we agree on everything. Thank you, Deputy Aldwell! (*Laughter*) This whole own real estate is a bizarre concept. We have had 'other places have gift shops,' I can well imagine now the Deputy Gabriel tea towel on sale or something, I just do not understand any of this. And we do have the Members' Room. I did use it, I did used to use it quite a lot, and in nigh on four years the only person that has ever come in whilst I have been in there was Deputy de Sausmarez on one occasion, and she was holding a meeting, and she just went into the other part of the room. We closed the door and then we held our separate meetings.

So in four years, other than the one occasion I have mentioned, nobody else disturbed me while I was in there having various meetings with various people. So I do not see now why we give someone a room down the corridor there, or down some stairs where we are all going to be fighting in there, grabbing our party hats as we enter, and all getting along fabulously well. That, as Deputy Roffey says, is a mindset. It has nothing to do with real estate whatsoever.

Lots of people have said if you do not like Propositions 3 and 4, forget this, do not do anything about this. Shush. Just vote them out when we get to the Propositions. I understand that, but also the other way is to just get rid of them now and vote for this.

So I discard those arguments as well, because we can do that right now if we really want to. So I do not buy the arguments that it is all going to be happy-slappy together (**A Member:** Hear, hear.) if we just suddenly get another couple of rooms down the road there. So I would ask Members to ignore that.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir.

2325 I can think back to the days when first elected, and one of the first thoughts I had was I found it very much a struggle to find a place to go and meet individuals, and like most of my colleagues, we have ended up going to cafes and places there.

I have listened to both Deputy Roffey and various colleagues who are talking about, 'Build it and they will come' does not work. But in most businesses and most areas and most organisations, you have a place to get to and you have an inviting place to get to. I have used the Members' Room. It is not the most conducive place to get in, first of all. It is not very comfortable, the windows are about six foot up, sort of like a cellar or something. It just feels like a barren room.

2330 If we did engage more here, it would be good for parishioners, for getting us working more together. Generally, if we want to talk about, whether it be a requête or an amendment or any piece of work, we have to create a group somewhere, and then the next thing we see is people making comments, 'Oh, that group has appeared at a certain little cafe or something.'

2335 So I do not agree with this particular amendment here. I would agree with everyone else. Just let us keep it as it is, and let us also remind ourselves this is just the beginning to allow where SACC has also agreed to allow to get on, to look at all the possibilities and options. So it is particularly when Deputy Roffey said that all the time he has been here he does not feel it is necessary to do this. Well, as the Father of the House he has probably got the most experience of anybody – or nearly the Father of the House, apologies.

Deputy Roffey: Point of correction. Deputy Gollop is the Father of the House!

2345 **Deputy Blin:** Deputy Gollop, yes. As the number two!

Because you have had it like that for so many years you have got used to it, and with a political prowess and a political skill. But actually, for others, it would be conducive and it would maybe lead to improving it, and it will give a better picture for members of the public to be able to approach easier, to give safety for us. Like it was mentioned as well that there is some sort of apprehension now meeting in people's homes or going to a person's home or coming to yours, etc., it is not so safe anymore.

2350 So I do think we are always talking about becoming more inclusive, accountable, and we should be on a journey to improve, and this would lead to that. So for that reason I will not be supporting this, but I do hope that the rest of it is successful.

2355 Thank you, sir.

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you, sir.

2360 In the opening speech Deputy St Pier made reference to an article by Advocate Gordon Dawes, an advocate of the Royal Court of Guernsey, along with 260 other advocates which are registered here – 260, *sir*! Quite a number.

2365 Speaking of this, his main concern was point 3, and he felt that in getting this zoned as a parliamentary estate, taking the Court away and zoning it as the parliamentary estate, and it is hard to argue against this, that this was in breach of the Latimer House Rules in itself on the judiciary side. It is all very well us Deputies just thinking about ourselves and the rooms that we have not got to meet people in, but what about the other side of the Latimer House Principles? And I think Advocate Dawes makes a good point.

2370 I am grateful, therefore, to Deputy McKenna and our national treasure, sir, Deputy de Lisle, for bringing this amendment to the Requête, and I am minded to support it. You see, sir, in the four years and one month that I have been a Deputy, I have not found anything lacking with the facilities

which we have got available to us, or on offer to meet to have our debates, or to meet up with people or to have quiet telephone calls.

2375 Sir, I just do not struggle with any of it, and neither do the constituents that I meet. And even on the King's visit on Tuesday, I asked some pretty learned fellows what they felt about us adopting the Latimer House Principles. It was not positive, sir. *It was not positive*, and that will teach me to get an honest opinion. But it was it was an intelligent opinion, and I think I was sent away saying that, 'You Deputies do not really realise what it is ... There are bigger issues at play.'

2380 And I have got to say, sir, I have heard two sentiment surveys recently. Latimer House is not up there. One of them was by the Finance, which I cannot talk about, Guernsey Finance, that was the in-house one. But the other one was the Institute of Directors, and their priorities, sir, and their concerns from their members, a huge amount, are number one, connectivity; I think education is in there – they want to see more places, they want to see better education; affordability of connections; and housing, sir. And yet here we are today just looking at ourselves. We have not even discussed
2385 the costs of what this might come to.

And for that point alone, Deputy McKenna gives me a lot of comfort that he is going to recommend, first and foremost to the Policy & Resources Committee, who are custodians of the public purse, to consult with H.M. Greffier on the availability of suitable space for Members and facilities of the States during the sittings of the States, and report back with any recommendations.

2390 Now that is complete common sense and something we could have done with a lot more over the last four years. So yes, I am delighted he has brought that.

Deputy Taylor mentioned consultation. What consultation? What was the consultation? Yeah. Great – oh, he is not in here. Great to be young and keen and asked what? But perhaps the question we should be asking, sir, is who we should be consulting with? Obviously yourself. Obviously, the
2395 260 Royal Court advocates that we have, and we have not even done that.

But if we cannot even afford it in the first place, what is the point of doing it? Is it a priority? Is it busting? I have not seen it, sir. I am going to support this amendment, with pleasure.

Thank you, sir.

2400 **The Bailiff:** Deputy Gollop.

Deputy Gollop: I reserve most of what I have got to say for later debate, but specifically on this amendment I have got sympathies for it, because I think that almost anything would be an improvement, and that in the past many of the facilities, whether it be Sir Charles Frossard House a
2405 mile away or here, were not used as they should have been.

I used to use the Members' Room at Frossard House a lot. I used to have a kip there, but I should –! No, I wanted to relax a little bit. But I found with cyber computers everything got more complicated and the usage of the rooms significantly dropped. But then I think the facilities we have really should be in the centre of town and linked to the parliamentary Assembly.

2410 So although I have got sympathy with the amendment, I will probably not support it.

The Bailiff: As I do not see anyone else rising I will invite the lead requérant, Deputy St Pier, to speak to this amendment, please.

2415 **Deputy St Pier:** Thank you, sir. Thank you to those that have contributed to the debate.

I think the first point to make is that there is nothing in the extant Propositions that affects access to justice and, as others have made very clear, of course, it is quite clear within Proposition 4 that Proposition 4 does no more than direct that there be a consideration given to the practicalities in relation to Court 6.

2420 I think Deputy Brouard, I would just draw attention to his comments.
I will give way to Deputy Trott, sir.

Deputy Trott: I am very grateful to Deputy St Pier for giving way.

Both Deputy Soulsby and I missed our opportunity during debate on the amendment to make clear that four out of the five Members of P&R oppose this amendment.

Deputy St Pier: Thank you to Deputy Trott for that clarification, which is appreciated.

Deputy Brouard has referred to his lengthy term in this Assembly. I think he probably arrived after the Resolution in 2000 that I referred to in my opening speech, and that certainly directed certainty back then. Twenty-four years later we have no certainty, so I think he is absolutely right to observe that Proposition 3 provides greater certainty than that which currently exists or which exists within the amendment.

Sir, there is much to object to in this amendment. Firstly, it is a direction to P&R with no role for our own parliamentary Committee, SACC. Secondly, the consultation is with His Majesty's Greffier, with no role for the parliamentary Greffier, the States' Greffier. If anything reinforced the inappropriateness of the judicial Greffier determining parliamentary access alone, this is it.

Thirdly, it only envisages, as others have noted, availability during States' sittings. Now it may be that the Members moving this amendment can only ever contemplate their needing access during those times, but other Members will, as they have spoken to, recognise the need for the use of space at other times too, which is what this Requête addresses.

And fourthly, of course, there is no deadline in the proposed amended Proposition. The amendment kicks the matter into the long grass as if 24 years is not long enough. It is the antithesis of Deputy Ferbrache's 'Action this day!' Even 24 years, I think, probably surpasses his wildest nightmares of what 'Action this day!' means.

So why make a decision today that we can postpone until another day? In truth, of course, this amendment is nothing but a spoiler, and if Members do not like the substantive Propositions, then they should simply vote against them, as others have said. This alternate Proposition has no merit whatsoever, and it should be voted out.

Thank you, sir.

The Bailiff: And finally, I will turn to the proposer of Amendment 1, Deputy McKenna, to reply to the debate, please.

Deputy McKenna: Sir, I have got nothing to argue against or I have got no defence actually, because I think I said to you many years ago, there is one thing about opinions – we have all got one, and that proves that today.

All I can do, sir, is repeat that I am very grateful to the advice given to me from the Greffier's office and to His Majesty's Greffier, and to a former Bailiff who I hold in the highest regard for the advice he gave me. So I make no apologies for trying to deliver the way it was explained to me that I actually totally agreed with. So again, I have got no problem with anybody voting against this because it is you. I have got no problem.

I was grateful to Deputy Ferbrache for explaining about all the ... I did not know that. I did not know about Latimer House Principles, which is why I sought advice. I think the biggest red flag for me was because I am on Home Affairs, that was because we are passing more legislation and more Laws; the more Laws we pass, the more law-breakers there will be, and the more law-breakers, the more need for the courts. His Majesty's Greffier this morning as he did the tour, told anybody who was there that he believes we are a court short. So when we say what we need, we have been told by the judiciary that they need more space, and so this is where you have to decide which is more important. Your facilities or the judiciary facilities.

Maybe in hindsight, Deputy Vermeulen should not have sold La Grande Mare because we would have had a swimming pool and a spa facility for us to use, but there you go, that is water under the bridge. But, sir, as I say, we are all in one room and in the court of public opinion. Let us see which way they vote.

But, if it ever comes back where the role of the Bailiff as Presiding Officer comes into that, I will come out fighting for the judiciary.

The Bailiff: Well, Members of the States, it is now time to vote on Amendment 1, which is proposed by Deputy McKenna and seconded by Deputy de Lisle, and I will invite the Greffier to open the voting, please.

Amendment 1

2480 *There was a recorded vote.*

Carried – Pour 9, Contre 29, Ne vote pas 1, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
De Lisle, David	Aldwell, Sue	Dyke, John	None	Bury, Tina
Helyar, Mark	Blin, Chris			
Le Tissier, Chris	Brouard, Al			
Mahoney, David	Burford, Yvonne			
McKenna, Liam	Cameron, Andy			
Moakes, Nick	De Sausmarez, Lindsay			
Murray, Bob	Dudley-Owen, Andrea			
Roffey, Peter	Fairclough, Simon			
Vermeulen, Simon	Falla, Steve			
	Ferbrache, Peter			
	Gabriel, Adrian			
	Gollop, John			
	Haskins, Sam			
	Inder, Neil			
	Kazantseva-Miller, Sasha			
	Le Tocq, Jonathan			
	Leadbeater, Marc			
	Matthews, Aidan			
	Meerveld, Carl			
	Oliver, Victoria			
	Parkinson, Charles			
	Prow, Robert			
	Queripel, Lester			
	Roberts, Steve			
	Snowdon, Alexander			
	Soulsby, Heidi			
	St Pier, Gavin			
	Taylor, Andrew			
	Trott, Lyndon			

2485 **The Bailiff:** So in respect of Amendment 1, proposed by Deputy McKenna and seconded by Deputy de Lisle, there voted in favour, 9 Members; 29 Members voted against; 1 Member abstained; 1 Member did not participate, and therefore I will declare Amendment 1 lost.

We will turn next to Amendment 2, if you wish to lay that now, Deputy Meerveld.

[Amendment 2](#)

To delete Proposition 2 and replace it with the following:

"2. To direct that the States' Assembly & Constitution Committee should consider and report back by December 2027 to the States of Deliberation with any recommendations for the adoption of an appropriate version of the Model Law to establish a special purpose parliamentary body to oversee the institution of the States of Deliberation as a parliament, having regard to our size, scale, and system of government, and to direct the Policy & Resources Committee to include the work for future prioritisation and resource allocation by the next Assembly in the next term's Government Work Plan."

2490 **Deputy Meerveld:** Thank you, sir.

This is a very simple amendment. SACC, having given it consideration and consulted with officers, have come to the conclusion that due to the Committee's limited resources, that the original

Requête date of December 2026 for coming back with a report would be difficult to achieve, especially after the start of a new Assembly with all of the induction, training, etc. that SACC is responsible for, and therefore it asks the Assembly to approve a change of that date to December 2027, and it also instructs P&R to include it in the Government Work Plan so that it will be properly resourced.

That is all I have to say and I put it over to you, Members.

The Bailiff: Deputy Soulsby, do you formally second the amendment?

Deputy Soulsby: I do, sir, yes.

The Bailiff: Thank you.

Deputy Gabriel.

Deputy Gabriel: Sir, I just rise for some clarification.

In his opening speech, Deputy Meerveld referred to December 2026 when in actual fact Proposition 2 in the original text is June 2026. So the extension is not by one year, it is by 18 months because the new Proposition in the amendment is December 2027, and perhaps also if he could clarify his expectation in man hours or even resources – and I like to call them people – of what this might need and if he is intent on employing or asking for an extra two, three, four members or even half a full-time equivalent?

Thank you.

The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: I think it is following on from a point made by Deputy Gabriel. Deputy Meerveld makes the point, and it is a fair point, about limited resources, and that applies generally in relation to the States. But I remember I was on SACC for a very short period of time under the presidency of Deputy Inder. Deputy Le Tocq was also a member of that, and we were, not coerced, we got together because some of us were very much in favour of the new Island-wide voting system.

Deputy Fallaize, who was the President at the time, resigned. Now I can remember in all the meetings that were ably chaired by Deputy Inder, we were told by civil servants, we are not going to get this done in time, and Deputy Inder said 'Yes, you will,' and 'It is going to cost this much to get in a voting system.' 'No it is not, you can do it a lot cheaper than that.' And he was right in both cases, because he drove it forward with leadership. He was told by civil servants, this is too difficult, we cannot do it. He said, 'No, it is not. You will do it because you are paid to do it, and you will do it, and you will make sure you do it by such and such a time.'

So we are talking about, as Deputy Gabriel said, two years from now – one year 11 months to be correct, *one year, 11 months* ... I know it straddles two terms, but I hope we are not going to go completely to sleep for the next 10 or 11 months, as we seem to have done, perhaps to a degree greater than I anticipated, because let us wait for everything to be decided next time. Surely in one year, 11 months, bearing in mind the limited nature of this Requête, we could get things done.

And I would be grateful as well, another point I thought of, but it is well made by Deputy Gabriel: when Deputy Meerveld responds to say, 'Look, it is going to be 200 hours' work, it is going to be 300 hours' work. We are going to need yet another civil servant, or we are going to need this, that or the other,' so that we can find out what we actually need. Because I actually think one year, 11 months is a heck of a long time. And what are we now? Three and a half years is just excessive.

A Member: It is.

A Member: Agreed.

2545 **The Bailiff:** Deputy Gollop.

Deputy Gollop: I mentioned earlier that some States' facilities that we have had, which were a significant increase on the 1990s, which well, I was Father of the House and it was era almost, well it did predate mobile phones. We were not quite in the wind-up telephone era, but we did have facilities we do not have though. Not only did we go out the old-fashioned door, but we used to go into what has now been rebuilt as part of the new Court, a quadrangle near the strongroom, and we used to have a smoke out there. We would not be allowed to do that nowadays, and some Members spoke in Guernsey-French so that I could not hear what they said, or understand it.

2550 I know I was sitting on the Policy & Resources group when Deputy Soulsby ably chaired last week, and we had to consider this, and we came up with a letter of comment which has so many pertinent points, many of which I agree with, but I wanted it to go ahead at least to warn people, because Deputy St Pier, as one might expect because this is a particular topic dear to him – I remember we kind of discussed it even in the Isle of Man when we had a study trip there, nearly a year ago – he made a brilliant speech today, but he implied that with the right political will, everything can be done to accommodate.

2560 Now Deputy Ferbrache kind of emphasised the, I would not call it Inder power, but the impact Deputy Inder had on SACC and perhaps proving doubters and cynics wrong. But such politicians or actions are unusual in this Assembly, and we do rely, sometimes overly much, on the excellent support we get from lawyers, advisers, officials and civil servants who perhaps have a realistic outlook of what they think can be achieved.

I am interested in the points Deputy Gabriel made about the summer of 2026, because this amendment talks about December 2027, which really means 2028. So it means if we have a four-year term next – I do not know if we have actually done the legislation on that, but assuming it is four years – from June 2025 to June 2029, it means that it is very unlikely that anybody in the next Assembly will have much time with these new facilities, let alone ourselves. We are kicking the can down the road with this, (**A Member:** Hear, hear.) and we run the risk of not getting on with it. And I pointed out immediately when I saw it, I thought, there is almost a –

2575 **Deputy Meerveld:** Point of correction, sir.

The Bailiff: Point of correction, Deputy Meerveld.

Deputy Meerveld: Deputy Gollop reports mentioning about the facilities. The discussions on availability of facilities, as in a room, would start immediately under Proposition 3. What we are looking at is the Proposition 1, the Model Law and the Latimer House Rules, and how changes to the way the Government functions might be recommended. That is a different thing to facilities.

Thank you, sir.

2585 **Deputy Gollop:** Yes, I accept that. But I will perhaps come on to a broader point later.

This is not specifically about the Model Law and the special purpose parliamentary body. Well, of course, it cuts astride the work done on the Machinery of Government and what will be done, and it uses slightly weasel words, if you will forgive me, for our size, scale and system of government. The Catch 22 phrase in it really, is:

... to include the work for future prioritisation and resource allocation by the next Assembly, in the next term's Government Work Plan.

2590 Well, hang on a minute. We are talking about a parliamentary Assembly, not the Government, and this is the difficulty that we have.

I understand Deputy Roffey's point and the subtleties of our system. Here I am, I am sitting with a learned Presiding Officer, but he is fundamentally a judge and head of our judiciary. We miss the

Governor today, but we have a serving officer, representative of the Crown, and there in a jury box are some of the senior politicians. It is all quite confusing, really.

2595 And it has worked, but times change and we were discussing even over lunch that although the 1990s States was outstanding, perhaps better than today, we could not go back to those days, even if we wanted to because things move on. And I see Deputy Trott nodding, and he was one of the able Members of the Board of Administration that pioneered the restructuring of the Courts. But the full process and the issues of the Harwood Commission were never implemented.

2600 And we have to, I think, grasp the nettle and understand that we need to look carefully at this. Where, as I said, I do have a degree of sympathy with the with the pertinent speeches Deputy de Lisle and Deputy McKenna made, is Deputy McKenna and Advocate Dawes, I think, are spot on the money that this building should be focused on being the best Royal Court we can possibly have, (A Member: Hear, hear.) totally secure, efficient, able to do quickly and –

2605

Deputy Mahoney: Point of order, please, sir.

Deputy Gollop: ... all of the cases ...

2610

The Bailiff: Point of order, Deputy Mahoney.

Deputy Mahoney: Yeah, I will give it a try.

2615 The amendment in front of us now really just talks about changing June 2026 to December 2027. That is really the focus of that amendment. Whilst interesting, Deputy Gollop is taking us off on all sorts of tangents here. But really, this is just shall we put it back another 18 months or not in terms of this amendment.

2620 **The Bailiff:** Deputy Gollop, that is a valid point of order. Can we concentrate on the amendment, which is about the date, but is also about the addition of directing P&R to include it in a future Government Work Plan?

2625 **Deputy Gollop:** Yes. Well, I certainly would like to see a speedier process because this kicks into the long grass, probably, any reshaping of Government as well, and looking at the wider issues that Deputy Dudley-Owen and others have mentioned. Because where I am coming from, and I do not want to stray into general debate, but where I disagree with the requérants, but agree possibly with Deputy Soulsby and Deputy Meerveld and other comments, is I suspect we will not easily find – I have been on the tour of the Court as well – a quick accommodation of the many subtle issues relating to security, Family Court provision, confidentiality and so on.

2630 So I think we are on a longer journey at looking about whether we will separate into a different building, like for example, Jersey have – next door, but a separate building. And I think we can make that decision and actually do the work quicker than that. So we actually need a vision and a strategy about where we are going with the wider Latimer Principles sooner rather than later, and if we have not got the resources in place now, we really should introduce this, because where I do agree with Deputy Ferbrache and Deputy St Pier is it should be a much more effective and efficient
2635 Government, and this hopefully will be part of that process.

The Bailiff: Deputy Inder.

Deputy Inder: Sir, just briefly.

2640 I would not advise any of the requérants to vote for this amendment as it is. And I thank Deputy Ferbrache for at least noting the work that we did as a Committee – and it was not just me, it was having a very good team behind me, and I mean all of those people, and being able to distribute that work out competently and with confidence to that team, to get them to get on with it.

2645 But do not vote for this, because all this does is add another, effectively, 18 months to your Requête. Do not do it.

2650 Deputy Meerveld, with the greatest respect, he is probably thinking it on the speed that his current Committee works at, which is not, with the greatest respect and it is probably not great respect, an awful lot of pace. If I had his job – well (1) if I stood, (2) if I got in – if I got the SACC presidency the first thing I would do is set up that special purpose Committee, and it would not necessarily need to be with the five that I had ... with the other four I had with that Committee while we are dealing with the important things like onboarding. You could actually populate it with the people who have got some experience, who are actually interested in it.

2655 So I would not necessarily, and it depends on the type of leadership you have got, is that you do not have to hold all the power. You can distribute the power. Those who are willing and those who want to get on with it. So if I give any advice today, for whatever it is worth, reject this amendment; this will set you back years, and may even set you back to the end of term – and I mean the next one, and the one after. *(Laughter)*

Thank you.

2660 **The Bailiff:** Deputy Le Tocq.

Deputy Le Tocq: Thank you, sir.

2665 I think I can be brief. We have grown in recent years – not just this Assembly, but the last few Assemblies, we have grown – pretty ineffective at keeping to any timescales whatsoever. So to a certain degree, I think it really does not make any difference what we decide today. It will be different people anyway around it, and I do think what Deputy Ferbrache said was correct.

If you get the right people around the table, and we did have it for the delivery of Island-wide voting, even though I was not in favour of it and tried very hard not to go on the Committee and voted against my nomination, *(Laughter)* we did manage to do it. So I guess that is the point.

2670 But seriously though, sir, I think I will not support this amendment, because I want to make a point of the fact that we are poorly resourced. Full stop. And that is our fault because we decided not to take the courageous act of resourcing ourselves properly. **(A Member:** Hear, hear.) As a result, we can pretend all we like, but unless things happen very quickly at the beginning of the next term to sort that out, none of this has any relevance whatsoever.

2675

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

2680 Well, I agreed to second this amendment on the basis that P&R are in a majority in favour of it. So Deputy Gollop has really helped me on that front, so that will be interesting. I also understand that this has been brought by Deputy Meerveld on behalf of the majority of SACC. If that is not correct, I would be ... why did we bring this in?

I will give way.

2685 **Deputy Meerveld:** I thank Deputy Soulsby for giving way. It is unanimously supported by SACC.

Deputy Soulsby: I thank Deputy Meerveld for that.

2690 I think what I would like to say upfront is I do support the concept of a Model Law, and if this amendment loses I will support the unamended Proposition in relation to this. But I am standing up as the Vice-President of Policy & Resources Committee, and on that basis, I have seconded it because the staff unequivocally said that they would be unable to do it this term without something else having to give.

And that is what we have been told, and we are Policy & Resources, and we are meant to look at policy and resources. I do get the point that Deputy Gollop made about the Catch 22. This is

2695 about parliament, and we are not talking about Government. So why would this be in the Government Work Plan?

But it is the same staff and I totally, absolutely agree with Deputy Le Tocq that until we get that, then we are in that situation. So it is very much a Catch 22. But the question is we have a lot of work in the Government Work Plan, which we are trying to get done by the end of this term. And so the question is, should this take priority over other pieces of work and should it be done without delay? Are we saying it is such a necessity that we have an issue with the separation of powers so great, we must look at it now?

2705 It is like saying it compared with other countries. So theoretically a country where the President, the Head of the Executive, can appoint the most senior of judges of that country, and those senior judges can then overturn laws of that country. Have we got that problem of any supposed theoretical country?

Now, as Deputy St Pier said in his opening speech, the Model Law itself is not suitable for us, the system we have at the moment, for especially a small jurisdiction and which does not have a party system, and will need amending. And we would have to think, what does that actually mean when we talk about amending? There is no real guidance to say what it is when we talk about it being amended.

2715 At this stage, we have no idea. So there is a means actually of doing it, and that has been provided by the CPA. And I was actually pleased to see that the Chief Executive of the CPA is in the Gallery now, so I think that is quite a nice coincidence. But the CPA have published the document called the field guide on Recommended Benchmarks for Democratic Legislatures. This enables legislatures to conduct their own internal self-assessment. And it looks at the organisation, functions, values.

2720 Now I would have thought that would be a really good document to take and use that as guidance, but that is not going to be necessarily a very quick process, and I think if we are going to do this, and I believe we should, we need to do it properly. But doing it properly, yes, it does need time.

I understand that CPA HQ Secretariat can assist by providing or recommending experienced facilitators who, as they say, will provide contextual information and work with an MP to support the assessment and ensure that it is evidence-based.

2725 So it needs to be done properly. We cannot rush it and we have to bear in mind that the last few months of this term will be busy, and any Member who has already been through the last few months of a States' term will know how very busy it can get. And we get many Meetings where items have to be deferred to another States' Meeting. It gets backed up and gets backed up, and it is really very difficult to cover everything, and the problem with that is perhaps things are decided not necessarily in depth because there is so much coming to the States, and I think by adding yet another item to the agenda, which does not need to be done within this term, we are not helping ourselves in any way.

2735 I know Deputy Ferbrache talked about December 2027 and others talked about that is far too long, but actually it is more realistic in terms of being able to get it done than, say, in June 2026. It does not mean it has to be done and take that amount of time, but it does give more space to be able to do it properly, and I think we need to think about that. Do we want to rush it and then find that we have made some decisions that we later regret, or do we want to take time and make sure we are making the right decisions?

2740 So that is really the essence of this amendment. It is saying to Members, look, here is a realistic timescale. If it is not supported and we end up with the Proposition as it stands, June 2026, that is fine, and as Deputy Le Tocq has said, there are so many times we vote for things and we do not actually make that deadline. So be it. But this amendment is just to be realistic in terms of what can be done and when.

2745 **The Bailiff:** Deputy Trott.

Deputy Trott: I only wish to speak briefly, but I accept that this work cannot be done this term, and in fact, no one is suggesting that it should be. But frankly, December 2027 is a ludicrous timeline – **(A Member:** Hear, hear.) *an absolutely ludicrous timeline!* I have seen NHS waiting lists shorter than that. *(Laughter)* It is ridiculous.

We all know what will happen. We are all experienced parliamentarians as we come to the last few months of this term, and we know that if you set a deadline of December 2027, it is quite possible, as Deputy Gollop said, this would go well into 2028.

However, if you set a deadline of June 2026, if for whatever reason that deadline cannot be met, the relevant Committee or Committees will come back and offer an explanation as to why. And in any event, if they ask for a three or six-month extension, you are likely to save at least a year, if not longer.

But occasionally when we are debating things in this Assembly, we do have to have consideration to the optics. We would be tantamount to a laughing stock if we approve this amendment. It really is an absurd timeline. I shall be voting against it, in case anyone had any doubt. *(Laughter)*

The Bailiff: Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

I wondered if Deputy Meerveld could just confirm, because I think I misheard him when he said SACC approves this amendment unanimously. Is that right? Thank you. *(Interjection and laughter)*

The Bailiff: Deputy Mahoney.

Deputy Mahoney: Just very briefly. I agree with everything Deputy Trott has just said. I hate saying that, but I do. We should all keep these amendments, because the only thing this is going to be useful is the bonfire of extant Resolutions that the next Assembly decide to pass. *(Laughter)*

The Bailiff: Deputy Roffey.

Deputy Roffey: I simply get to my feet because I almost never, ever abstain on anything. But as this amendment is about how quickly to do something that I do not think ought to be done, I think I probably will abstain on this again.

The Bailiff: Well, as I do not see any other Member rising to speak in debate on this amendment, I will turn to the lead requérant, Deputy St Pier, to speak to it, please.

Deputy St Pier: Thank you, sir.

Just to clarify, when Deputy Meerveld said it had the unanimous support of SACC he misspoke in the sense only, of course, that I was recused. So I was obviously not a party to that decision. Any further clarification I am sure he will provide when he responds to the debate.

The requérants were not consulted on this amendment, although Deputy Meerveld did indicate to me personally he was minded to move something along these lines. And of course, the intent to do so is referred to in both SACC and P&R's letters of comment.

The requérants have their own views in relation to this amendment, some of which have been expressed in debate and will be reflected, I have no doubt, along the lines that have been referred to in others in the debate so far, in a final division on this amendment.

The Bailiff: Therefore, I invite Deputy Meerveld, as the proposer of Amendment 2 to reply to the entire debate, please.

Deputy Meerveld: Thank you, sir.

The deadline for delivering this was either June 2026 or now proposed to December 2027. Either way, it will be a new SACC Committee, and in all probability I will not be in this Chair. What we were doing is simply passing on advice of officers who are looking at the workload we have now, and going forward, and making two observations.

One, that knowing the limited resource and the very busy agenda for SACC, particularly in a new term, that we needed a greater amount of time, and that there was likely to be a level of additional resources required – to answer Deputy Gabriel, we do not know exactly what that is. But for that reason it should be included in the Government Work Plan. So these two elements were put into an amendment which has been proposed.

Interestingly enough, Deputy Gollop in his speech was mentioning how complex this is and the need to look carefully at this, I quote.

Deputy Soulsby also said this is important and has to be done properly. The danger in setting a deadline as per the Requête that is 18 months earlier, and not putting an instruction on P&R to effectively resource it means that it is unlikely to be done properly.

And as Deputy Le Tocq pointed out how bad we are at hitting deadlines, you are setting up a new SACC Committee to have to come back to this Assembly and say why they cannot do it on time, or cannot do it properly within the time limit, or do not have the resources to do it. So based on the feedback from officers –

I would give way to Deputy Taylor.

Deputy Taylor: Sir, I am very grateful to Deputy Meerveld giving way. I have just been having a bit of a chuckle with my colleague, Deputy Haskins, because we have struggled to understand in the previous Question Time what resources SACC actually have, and it seems to jump around as whether it is an FTE or an actual person. Deputy Meerveld keeps referring to the advice from his officers, or officer advice, but the letter of comment tells us that they only have one officer who is yet to be appointed.

So I would like to believe the comments that this officer is making, but I cannot understand if the officer exists or not. So, without naming the person, who exactly is Deputy Meerveld referring to when he refers to this yet to be appointed officer?

Thank you.

Deputy Meerveld: I thank Deputy Taylor for the question.

In the absence of an appointed officer to SACC, which unfortunately has been the situation for a very extended period now through illness, and now we are in the process of trying to find somebody new who will be dedicated to the SAC Committee, the senior management team of the Civil Service have allocated other people on a temporary basis to help support the Committee in the delivery of its agenda, and those officers have been supporting us for a very extended period now.

So I trust, that they have got a good grasp on the workload and what is expected. And we also have to accept that a new person coming into this position will have a certain amount of time when they will not be as efficient as previous colleagues, because it will take them time to learn the post, and I think all those things have been factored into this.

But as I say, I support the Requête. If the Assembly wants to set a deadline of June 2026 rather than December 2027, that is up to the Assembly.

Although I was a little bit surprised at Deputy Trott's comments on the basis of I am not sure that from the public perspective this really would be a high priority. I think it is important. I agree with Deputy Heidi Soulsby that this is an important thing to look at, and it is part of this evolutionary change that I would like to see in our Government and our parliament that gradually increases our effectiveness over time.

So it is something I would be very keen to see done, and actually would like to see it done more quickly. I just do not want to impose false pressures onto a new Committee coming in, or false expectations that they would then fail with, and I certainly think from a public perspective this will

2850 be perceived to some extent, although it can have far reaching implications, as navel-gazing on behalf of Government looking at Government.

So whilst it is extremely important, I would struggle to prioritise it over other things that our Government is addressing for our community directly.

Thank you, sir.

2855

The Bailiff: Members of the States, it is now time to vote on Amendment 2, which is proposed by Deputy Meerveld, seconded by Deputy Soulsby, with the intent to substitute a different Proposition 2, principally with a different date.

And I will invite the Greffier to open the voting, please.

2860

Amendment 2

There was a recorded vote.

Carried – Pour 10, Contre 26, Ne vote pas 2, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Aldwell, Sue	Dyke, John	Leadbeater, Marc	Bury, Tina
Burford, Yvonne	Brouard, Al	Roffey, Peter		
De Lisle, David	Cameron, Andy			
De Sausmarez, Lindsay	Dudley-Owen, Andrea			
Fairclough, Simon	Falla, Steve			
McKenna, Liam	Ferbrache, Peter			
Meerveld, Carl	Gabriel, Adrian			
Murray, Bob	Gollop, John			
Queripel, Lester	Haskins, Sam			
Soulsby, Heidi	Helyar, Mark			
	Inder, Neil			
	Kazantseva-Miller, Sasha			
	Le Tissier, Chris			
	Le Tocq, Jonathan			
	Mahoney, David			
	Matthews, Aidan			
	Moakes, Nick			
	Oliver, Victoria			
	Parkinson, Charles			
	Prow, Robert			
	Roberts, Steve			
	Snowdon, Alexander			
	St Pier, Gavin			
	Taylor, Andrew			
	Trott, Lyndon			
	Vermeulen, Simon			

2865 **The Bailiff:** So in respect of Amendment 2, proposed by Deputy Meerveld and seconded by Deputy Soulsby, there voted in favour 10 Members, 26 Members voted against, 2 Members abstained, 2 Members did not participate in the vote. Therefore I will also declare that amendment lost, and we will resume now with unamended Propositions in general debate.

Deputy Murray.

2870

Deputy Murray: Thank you, sir.

Not for the first time whilst listening to debate in this Assembly has the phrase 'Fiddling while Rome burns' come to mind, (*Laughter*) and it occurred to me that I have never known the origin of it, so I looked it up on Google, and other search engines are available, and this is what it revealed:

To do something trivial and irresponsible in the midst of an emergency; legend has it that while a fire destroyed the city of Rome, the emperor ... played his violin, thus revealing his total lack of concern for his people and his empire.

2875 Sir, Guernsey does not have an empire, but it does have a Bailiwick, and it certainly has a people, and it also has an emergency. Housing and homelessness. (**A Member:** Hear, hear.) Housing is repeatedly highlighted in this Assembly as our number one priority, and we have not delivered. (**Several Members:** Hear, hear.)

2880 And yet, sir, here we are debating who should have first dibs on space within these premises to make our lives easier, when so many Islanders struggle to put a roof over their heads. (**A Member:** Hear, hear.) There is something wrong with this picture.

2885 Sir, we have not even been able to bring a review of the Machinery of Government back to the Assembly, arguably of more fundamental relevance to delivering effective Government for Guernsey than the consideration of the implications of a set of principles, designed to ensure the use of democratic principles in countries where they may be absent. Democratic principles are not absent in Guernsey. (**Two Members:** Hear, hear.)

2890 Furthermore, we are already struggling to resource the GWP, supposedly the focus of the agenda of this Assembly. So there is no capacity to do anything at all in exploring a new Model Law, and we have no reason or plans to increase resources so that the next Assembly will be in any better place to do so.

It is not acceptable to place responsibilities on future Assemblies to undertake work without ensuring capacity to do so. Simply directing future Assemblies to do work is a cop-out. If we had felt exploring a Model Law was fundamentally important to our democracy, we would have included it in our GWP, but we did not, and that speaks volumes as to its lack of relevance now.

2895 I urge Members to consign this Requête to the bin. Do your elected duty of trying to improve the needs of Islanders, rather than your own needs as Deputies. (**Several Members:** Hear, hear.)

Thank you, sir.

The Bailiff: Deputy Aldwell.

2900 **Deputy Aldwell:** Thank you, sir.

I understood that we can only debate in the Chamber what people bring, so I know that we have a housing emergency, and I am sure that that has been discussed many times, and this is something, but there was nothing on the agenda, which is why this has been brought, because as I will explain my thoughts.

2905 Sir, recently I have read *Women of Westminster* by Rachel Reeves, which set out the struggles women faced when first entering Westminster as parliamentarians, Lady Nancy Astor in 1919 being the first, ending 600 years of men-only being elected to the Commons. A small room was made available, tucked away in the basement of Westminster, for women to carry out correspondence, unlike the palatial smoking rooms used by the male parliamentarians. But it was a quarter of a mile away from the lavatories along three long corridors, two flights of stairs. It was moved along the corridor in 1929, still without any facilities, and it was not until the 1970s that proper facilities were provided – 50 years on, after 100 female MPs had been elected.

2915 Here in Guernsey the first female Deputy, Marie Randall, was elected in 1924 and there certainly were no facilities then, no dedicated room to be able to write correspondence, and a hundred years on we find ourselves in the same position, though it was considered that space should be made available in 2002 when the court estate was updated.

2920 Of course, I am fully aware women parliamentarians are not special, and I am not advocating that there should be a separate space for women. Just making the point. It has never been a priority, and that no Guernsey parliamentarian has any space to call their own on this estate.

2925 We do not even have a secure room to leave our belongings, change out of wet clothes, let alone space to gather for presentations, or welcome constituents, or personal business outside of the States' Meetings. That normally has to be conducted in a cafe which cannot in any shape or form be called private. And of course, there is the darkest bowels of Frossard House, if free, which is not a parliamentary building, but a Government building across Town.

Sir, I have been extremely fortunate in that I have visited and been hosted by other Commonwealth jurisdictions, which I wish some of the male parliamentarians would take up the offer and go along and understand what other jurisdictions ... how they conduct their business. At the very least, they have allocated space for parliamentarians to work, to meet and to host constituents, and certainly not interfere with the administration of justice.

I always sing the praises of Guernsey at every opportunity as a very proud Guernsey-born Deputy, but I have to say, my parliamentary colleagues across the waters are always surprised at the lack of any facilities whatsoever available here in Guernsey, where we sit in an Assembly. I know many of you in this Royal Court today will be thinking this is the wrong time to bring this to the Assembly, and I would say when is there ever a good time?

Sir, we are certainly not pushing for revolution. We are simply asking for this States to consider evolution, the art of the possible, allocated space to call our own.

Thank you.

The Bailiff: Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

I agree wholeheartedly with the comments of Deputy Murray. There is no doubt that the parliamentary facilities that we have are suboptimal, and there is also no doubt that other Assemblies have better resources and perhaps better structures, legal structures, for their representatives.

But the public would be exasperated if we spend so much time ... that we *do* spend so much time, discussing matters affecting ourselves. It is not just the facilities we have, it is also debates on election expenses. Anything like that drags on all afternoon, and I will be accused of contributing to the amount of time taken in making this speech.

I do not often rise to talk about these subjects, but the reality is quite complex matters can be passed through this Assembly with minimal debate, and yet if it touches on our facilities, our expenses, whatever, to do with us, we spend hours discussing it.

If we were to contemplate devoting considerable time and resources to improving our facilities, this will add to the disillusionment of the public, who already see us as a singularly unproductive Assembly, and we are doing so in the context of, as Deputy Murray says, a housing crisis. And who knows what these reviews will cost and how many resources they will take up in terms of man hours, but the reality is out there, nobody cares. They do not have any notion that we are an underprivileged bunch of individuals in the Island of Guernsey.

So the reality is that nothing significant will be done about this. We are passing the buck to the next Assembly, but we know that they will not have any more resources than we have, and the reality is, it will just be another talking discussion around our rights and privileges, assuming it is not just chucked in the bin completely by the Members of the new Assembly.

So I would urge Members not to spend time on this issue, or more unnecessary time on this issue. Yes, we know that you could design a much better debating Chamber than the Royal Court, but the reality is we are not going to build one. And for us to devote resources to sorting out the sort of facilities which in an ideal world we would have, is like discussing the numbers of angels on a pinhead. It is just simply academic and irrelevant. (**A Member:** Hear, hear.) We should be focusing on the things that matter to the people of Guernsey, and that does not include this subject.

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, sir.

I am pleased that I have heard the views of Deputy Parkinson and Deputy Murray before I speak, and my view is that they are completely missing the point.

And of course members of the electorate, the Islanders, want us to get on with important business that affects them, but they also want us to be the best that we can be, and we cannot be

the best that we can be if we are operating in substandard facilities. (*Interjection by Deputy Vermeulen*) But we are, Deputy Vermeulen, operating in substandard facilities, and –

The Bailiff: Deputy Dudley-Owen, you are not to address another Member directly, please.

Deputy Dudley-Owen: I do apologise, sir.

But I realise that obviously Members in the Chamber have those strong feelings, but also that some listening may be thinking that we have bigger priorities, and sir, absolutely we do. But the fabric that underpins the work that we do on those bigger priorities, and anything at all for that matter, on the long list of priorities, is the relationship that we have with each other. And that is seeded and manifested largely in this Chamber, because Deputies effectively are itinerant and we are baseless in terms of a workspace.

Now, mention has been made of the limited workspace that is available in Sir Charles Frossard House, but it is less than ideal for many reasons, and I think that has been pointed out during the debate, and we are at the behest of Government. And there is a definite feeling of impermanence about that space, and in fact, I am not sure that any of us could speak to the security or permanence of that space and whether it is exclusively used by Deputies in the future.

But imagine coming to work on your first day, and then expect to be shown your workspace, and no one can point you in that direction. But that is what happens to new Deputies and has done for many years. And it is not just strange, it is really unusual, and it does not happen in other workplaces.

It is also unsettling, denying Deputies the opportunity to lay down fundamental foundations and to put down roots for the political term, creating the vital connections that enable conversations to start and relationships to begin, trust to grow, and a sense of corporate mindedness and mutual respect, all elements, where we have to work extra, *extra* hard to create and contrive environments in which to nurture.

Positive workplace interactions belie positive workplace outcomes, and that is what the public wants from us, and what I believe many of us stood to ensure that we get positive outcomes.

And what I have observed, sir, is that we do not actually know each other very well in this Assembly. This is because we see each other infrequently as a group, as we all use different places to work from, and we have mentioned this, many of us will work from home. Others may use a place of work, but others for perhaps the itinerant cafe lizards among us, such as Deputy Inder, contributing to the Island coffeehouse economy. But the lack of secure, designated shared workspace for Deputies has, as I believe, been one of the biggest contributing factors to much of the friction and sometimes poor interpersonal relationships that have occurred. And it is not just been present this term, this was present last term as well.

So while small groups of Deputies see each other more frequently, undertaking their Government business on Committee – for example, ESC mostly meets once a week; we may chance upon other Members sitting on other Government Committees – I rarely see colleagues, and I estimate that other Members who sit with me on ESC, we may only see other Members once every three weeks in States' Meetings. And when this parliament breaks for its summer recess in a few hours or possibly tomorrow, I am unlikely to see most Members bar colleagues on ESC and P&R with scheduled meetings until early September. That is hardly a recipe for collegiate working.

All those lost opportunities in relation to those snatched bits of conversations and connections, perhaps seemingly inconsequential to those who do not value interpersonal relationships, but actually which can lead to some really positive, constructive working relationships and deeper understanding of colleagues.

How can I get to understand what makes Deputy Dyke tick and discuss our shared love –? (*Laughter and interjections*) How can we discuss our shared love of red squirrels when our paths rarely cross, when we have to contrive and make special effort around our busy schedules to grab a coffee at St Pierre Park or other places, and to make all those important colleague connections

which ordinarily would form in an unforced, natural way around the workplace waiting for the kettle to boil or around the water cooler?

What is unreasonable about asking for a space to work from? Many would be outraged if other organisations denied their staff, no matter what their terms and conditions, a base to work from, even if they were itinerant. Working from home is not always conducive to productivity. Not everyone has a home office, and if you have a busy family life, then it can be very challenging to find the privacy and quiet that is needed for this job.

If we had a base here, this is where we would frequent. This is where we would find ourselves, more often than not, to do our administration, to undertake our research, to meet constituents, and as importantly, to meet colleagues.

Not only does the opportunity to have a workspace enable us to have a settled location to meet and work, we could also begin to host our private Members' presentations without incurring personal costs on hiring venues. This is where we would meet members of the public and invite them to host surgeries on a regular basis, and this is where we would point to new Deputies and visiting parliamentarians and Islanders and say, this is where we work. This is where parliamentary business, the legislature, operates from. This instils a sense of pride, respect and accountability in the parliament, the States of Deliberation.

And so, what is our role? Because I do not think that it is a coincidence that we have difficulty in describing our role as Deputies. I believe there is a link here between not having a place that we can identify as our work base, and also finding it difficult to describe actually what we do. And the reason for this is because we do not see ourselves as parliamentarians, because we are not based in the proximity of the parliamentary Chamber.

People have cited the Machinery of Government as being one of the reasons things are not going well, or perennially do not go well, the worst States ever, and I do not entirely agree. I think our failure to deliver is more about us understanding, us being and furthermore being understood and seen as parliamentarians. We are here to represent the electorate, to legislate, to oversee the function of Government and to approve Government funding.

However, we do not fully understand our role in this Chamber, and this is in part due to some real obscurity between the governing functions. That obscurity is obvious when we think about the lack of dedicated facilities, but also because we refer to ourselves as States' Members, whether or not we have a role in the Executive of Government. The functions of parliament and Government are often conflated, and as we lack a party system, it is more so.

We are, though, first and foremost parliamentarians, despite more often identifying with our role in Government. But it is disenfranchising, I believe, for Members who do not sit on Government Committees or sit as backbenchers, and this lack of clarity not only does us a disservice in this way, but we are letting down the electorate and not delivering the democratic mandate effectively.

The separation of function is described in the Requête, i.e., shifting the balance of priority in part of the building to the States of Deliberation, and also acknowledging the Latimer House Principles, gives greater visibility and clarity to each of the three functions, in no particular order, Parliament, Government and Judiciary.

And so what will the outcome be? Well, I believe that the approval of Propositions 3 and 4 will facilitate and lead to much better communication, collaboration and improvement of cultural values amongst us as Deputies in our role as parliamentarians, and yes, I am positive about that. I am not cynical. I believe that a change in facilities enables us to do so much more, because we will have a place together to call our own, which is away from our Government roles, and ultimately we should aim for the States of Deliberation to receive due support and resource available to parliament and to support us in our primary roles in parliament.

A significant period of time has elapsed since the opening of the new Court, and this matter was raised then, making it back into this Chamber. This is not a new subject, and I think that Members will have been pleased to learn some of the history of the matter from the research that Deputy St Pier has undertaken.

3080 And I think that as well as being worthy Propositions in ensuring that we are organising ourselves in a way which makes best use of existing resources, we are also lucky here in Guernsey that since the extension of the new Court, the physical infrastructure already exists for us to make this happen without having to expend taxpayers' money on a new build for a parliamentary building.

3085 I am enough of a realist to know that otherwise, with money being in short supply and always being urgently needed elsewhere, a proposal like this just would not be feasible otherwise. To the extent that CPA Secretariat have template legislation, mentioned by Deputy Soulsby, to make use of, it makes the process so much easier, and we can also draw on the experience of others as well who have gone through this process. I see Deputy Le Tissier shaking his head so no doubt he will make comment on that.

3090 But in closing, again, I know that some of you feel very strongly that this matter is not a priority and I realise the reasons why, and yes, strong points have been made by Deputy Murray, and absolutely, homelessness, the financial situation, those are really important matters. But I would also ask those Members and those listening: is democracy important to you? Is having your say, sir, and an opportunity to influence via an elected representative important to you? Is how the Island run important, and how you hold those people to account?

3095 And I am sure the answers to those questions will be yes. And I say that the people that you have voted for must be able to serve you, and do this in a way that is both effective and efficient. If a parliament is the bastion of democratic function and governance, then it must, in my opinion, be given the standing and recognition it deserves as the manifestation of the people's will.

3100 Democracy is something that needs to be taken seriously and not for granted. The office of *Les Députés du Peuple* is a very important one, and as parliamentarians we need to serve our people to the highest standard.

We are, in my view, fettered by our location and the lack of respect that we pay to the institution of our parliament, and I want to change that, and I want this States to be the very best it can be. I urge Members to approve the final Proposition.

Deputy Queripel: Rule 26(1), sir, please.

3110 **The Bailiff:** All right. Can I invite those Members who wish to speak in debate to stand in their places?

Is it still your wish, Deputy Queripel, that I put a motion pursuant to 26(1)?

Deputy Queripel: Yes, sir.

3115 **The Bailiff:** All right. Well, the Proposition, Members of the States, is that debate be curtailed, subject to the usual process at the end of hearing from the President of the States' Assembly & Constitution Committee, the Vice-President of Policy & Resources and the lead requérant.

Those in favour; those against? I will declare that lost.

3120 **Deputy Queripel:** Recorded vote, sir, please.

The Bailiff: When you are ready, Greffier, please, with the procedural motion.
Will you now open the voting, please, Greffier.

Rule 26(1)

3125 *There was a recorded vote.*

Carried – Pour 12, Contre 20, Ne vote pas 5, Did not vote 2, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Cameron, Andy	Aldwell, Sue	Burford, Yvonne	Leadbeater, Marc	Bury, Tina
Dyke, John	Blin, Chris	Inder, Neil	Taylor, Andrew	
Ferbrache, Peter	Brouard, Al	Le Tocq, Jonathan		
Haskins, Sam	De Lisle, David	Prow, Robert		
Helyar, Mark	De Sausmarez, Lindsay	St Pier, Gavin		
Mahoney, David	Dudley-Owen, Andrea			
Meerveld, Carl	Fairclough, Simon			
Murray, Bob	Falla, Steve			
Parkinson, Charles	Gabriel, Adrian			
Queripel, Lester	Gollop, John			
Trott, Lyndon	Kazantseva-Miller, Sasha			
Vermeulen, Simon	Le Tissier, Chris			
	Matthews, Aidan			
	McKenna, Liam			
	Moakes, Nick			
	Oliver, Victoria			
	Roberts, Steve			
	Roffey, Peter			
	Snowdon, Alexander			
	Soulsby, Heidi			

The Bailiff: So on the procedural motion to curtail debate proposed by Deputy Queripel pursuant to Rule 26(1), there voted in favour 12 Members, 20 Members voted against, 5 abstained, 3 did not participate, and that is why it was declared lost.

3130 Deputy Falla.

Deputy Falla: Thank you, sir.

I am going to speak briefly to Proposition 3(a) to designate Court 3 and the Royal Court Library as parliamentary space. And I believe that if that were to happen, on the one hand it could compound existing confusion, because I think there is a perception of the Courts as frightening and in some ways otherworldly, and by this building being the focus, the centre of public focus, Deputies or parliamentarians are somehow lumped together in the public mind's eye with high-ranking authority figures who also inhabit this space.

3140 But we are not judges or lawyers, with a few exceptions, or Jurats, all of whom command a different respect in order to fulfil their roles. We are people's Deputies, ordinary people representing electors and constituents, working for them in public service. We need to be approachable and accessible, so working from the Court is not ideal, but it is better than nothing.

I personally have valued greatly being active on the CPA since I was elected and engaging with parliamentarians in other jurisdictions, comparing notes, comparing methods of working, if you like, and I have learned more about how to be a parliamentarian in Guernsey through that engagement.

3145 So in summary, I have reached a point where while having priority use of Court 3 and the Library is far from ideal, it is at least a step in the right direction, and therefore I will be supporting the Requête.

3150 **The Bailiff:** Deputy Roffey.

Deputy Roffey: Thank you, sir.

I oppose this Requête, and I am slightly worried that all of the attention has gone to Propositions 3 and 4 and about buildings and property, because while they are important, the real pernicious Propositions here are 1 and 2, the Latimer Principles. Clearly, it is risible to suggest that they are applicable to our system of government, and as for the Model Law set out in appendix three, if anybody thinks that that can be bent to anything like our current system of government, well, I do not really know what planet they are living on.

I will return to that in a minute. But let me go into the weeds of buildings first, and I am very much in the Murray/Parkinson camp here. In his opening at the beginning of the afternoon, Deputy St Pier said ever since Roger Murray convinced us to build a new Court building, and it was said it would release extra estate for parliamentary activities, nothing has happened. Not true. The Bailiff of the time, Sir de Vic Carey took that very seriously, created a Members' room with live proceedings being piped through, with cubby holes for all of us to get our mail.

When I came back in 2016, I found that had disappeared. Why? I asked. Well, because nobody used it. Nobody really wanted to come into the Royal Court. Why would they want to do that between States' Meetings. There were far more convenient buildings to use. So I really do believe we might be ... If you want better facilities, fine, but I am really not sure taking over the Royal Court and the Library, apart from when we need it for carrying out our parliamentary procedures is a sensible solution to that.

I agree with those that say this is not an ideal debating Chamber. I think it is quite inappropriate for some of us to be sitting higher than others, but how much is it worth in the context of the other things we need to spend money on to actually move away from that? I think that has always been the dilemma. Nobody has actually felt that it was perfect.

But all the debate has been about buildings and it should not be. Deputy Dudley-Owen is not in the Chamber, but she tried to draw distinctions. She tried to say that actually we focus too much on our role in Government and not enough as parliamentarians. But what on earth did she mean? Because in the Guernsey context there is no distinction.

Our parliament is our Government, and every elected Member of this Assembly is a part of the Government, even if they do not sit on any of the Committees. If you were in a traditional parliament elsewhere that the Latimer House Principles were designed for, and the Model Law was designed for, all you would be getting is Bills – Bills coming, legislation. That is what they are, they are legislators, because they are not involved in the evolution and division of policy. That is done by the Executive, which is a separate subset of the Parliament. That is where the power lies, and that is why the Latimer House Principles actually goes way back before Latimer House.

The doctrine of the division of the separation of powers was developed to stop overweening, ambitious Executives from controlling and manipulating the other organs of the State, and when that happens, it is indeed extremely worrying and extremely frightening, and there have been numerous cases.

I was in Sri Lanka when the Rajapaksa government were so outraged that the Chief Justice had ruled against something that they wanted to do, that they sent thugs to her official residence and drove her out of there. She had to resign and she had to flee, in fact, and they put in their own puppet instead. That is really what people are worried about with the stopping of the separation of powers: the Executive controlling the Courts.

Here we seem to be frightened somehow that our Courts are going to control the parliament. Well, that is risible. We are surely not such shrinking violets that we would ever. I do not actually believe the Courts are going to try to do that. I might be being very overly sanguine in that case, but even if they did, we would soon stand on our hind feet and say, 'No, that is not on.'

The other thing, and it becomes very clear when you read through the Model Law and what it is there for, is to stop that subset of parliamentarians who are the Executive, the Government, from not allowing sufficient freedom, resources, powers to the rest of their parliament who are there to have the check and balance on them, to control them, and to make sure that they are held to account.

Very, very good principles for 99% of the parliamentary systems around the world where their parliament is not their Government, where their Government is a small inner core, a cabinet and an extended set of Ministers, and the parliament only considers legislation.

Our system is radically different, and to import something you may have learned about it on the CPA, I have to say I am probably the only Member of this Assembly who is not a Member of the CPA. I tried going on some of their jollies, and I really thought, I was told it would be jolly hard work.

3210 That is what it would be, it would not be a jolly. It would be jolly hard work really. And I came back and at that point, that was it, I was off because frankly, it was ...

Well, anyway, look, that is going off on a tangent, but the point is that they have drawn up very good principles for parliaments that look nothing like this one, and I really worry about the next SACC, or this one if they start work on it, I rather got the impression they probably will not, they will
3215 just leave it to the next lot, because they will be trying to make a set of principles that have got nothing to do with our system of government or fit it, and they will be trying to design a Model Law, which clearly is designed for an entirely different system.

But my biggest concern is when that will not work, the answer: 'Well, we will have to change our system of government then, won't we?' It does not fit the Latimer Principles. It does not fit the
3220 Model Law, so we will have to move to an executive system of government in order to make it work. And I think, maybe I am being overly suspicious, but I think that the slowly, slowly catchy monkey policy here is actually to do just that. I want none of it.

I do not think the people of Guernsey can be that impressed with the arguments of Deputy Dudley-Owen, that we need to throw money at ourselves in order to be as best as we possibly can
3225 be, but if that is what we want to do, fine. Propositions 3 and 4 I do not support, but I will not lie awake at night if they do through. But Propositions 1 and 2 just do not fit with our system of government, and I believe it would lead to our system of government being eroded.

There have been many attempts over recent years to do just that. Even Advocate Harwood, once he became Deputy Harwood and sat in this Assembly, actually fessed up that having lived it, he
3230 thought that he was wrong when he chaired the Harwood Commission and that Executive Government did not work without the whole panoply of parties and executives and everything else.

I want none of it. I am going to vote against Propositions 1 and 2, and I think I might be the only person in this Assembly that would do that. I know I am an oddity, I have learnt it today. I do not
3235 spend my life in cafes and everybody else in this Assembly apparently does. It maybe explains a lot about their behaviour, I do not know. But I do not.

Mahatma Gandhi said, 'Even if you are a minority of one, the truth is the truth.' And my truth is that Propositions 1 and 2 here have nothing whatsoever to do with our system of government, and I intend to vote against them.

3240 **The Bailiff:** Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

I would just like to say that Deputy Roffey is not in a minority of one. At least there will be two of us.

3245 The Latimer House Principles. What have we got here? Well, it is certainly not bedtime reading. They are well meaning, I am sure, but I do not think they are a priority, definitely not. So I would say to all the Deputies present here, which of you had this in their manifesto?

And I think I can give you the answer, and that was none. (**A Member:** Hear, hear.) But I am prepared to give way if somebody wants to correct me on that.

3250 The Latimer Principles are not a new discovery. They have been around for years, and they were well known in 2020. So will any Deputy that is standing in the Election next year put a statement in their manifesto that they want more resources for themselves? Personally, I do not think that will go down very well.

And it is not the right time to be debating the Latimer House Principles, and I will say right up
3255 front that I will be voting against all the proposals. Some are better than others, but 1 and 2 are the worst. We have better things to do with our time. It is just navel-gazing, and I am repeating what other people have said. It is irrelevant to the general public. It is relevant to those people sleeping rough or sofa-surfing, or those people that are having to leave the Island because they cannot live here anymore.

3260 In my opinion, the general public just do not care about who Chairs the States or how the three branches of Government works, or where the States meet. There is a saying if it ain't broke, don't

fix it. Well, I do not think it is; it could be better, but it is not broken. However, the only thing I would say is please, can we have some more comfy seats in here?

3265 So I do agree with Deputy Murray. The public care about housing, health, cost of living and travel off this rock. And that is something Deputy Vermeulen said. Surely we all know this. So why are we wasting time on these esoteric principles that are not going to affect the general public? We should be dedicating all our working hours to solving these issues, (**A Member:** Hear, hear.) not navel-gazing debates on what most members of the public consider to be not relevant.

3270 Now the Model Law, that is another thing. I have had a look at it. Well, I have got it here somewhere, I was going to wave it about. I think over probably 80% or higher is just not relevant, parties and opposition and it is not written for an Assembly such as Guernsey.

So why can't we debate more housing? I do agree with Deputy Aldwell that no one has brought it forward. Fine. Well, maybe we need to. We need to debate how we get houses next week, next month, not in five years' time.

3275 And cost as well, I just need to touch on cost. Who has ever heard of the States doing anything without an increase in costs? Well, it is plainly obvious, or it is to me, that if we go down this route, it is going to cost a whole lot more money.

Now the motives. I am not sure what the motives behind this Requête are. Deputy McKenna called it a Trojan horse, and I think Deputy Roffey seemed to imply that it was a slippery slope, and I think I agree with that. We do not have to follow this unelected body that met at Latimer House. We are not the UK. We do not want to be like the UK, well, I certainly do not, being a true local. And in the paperwork, there are examples of how it worked in Ghana and Malaysia. Well, we are not those countries either.

3285 And did we get consulted when these principles were written? No. So for all these reasons, I would ask you to vote down these Propositions. Just kill it at birth. We do not need reports in 2026 or whenever. Just let's stop doing it now. We have only got limited resources and we can spend them elsewhere to greater effect. Small government, not ever large government.

Thank you, sir.

3290 **The Bailiff:** Deputy de Lisle.

Deputy de Lisle: Thank you, sir. I will be brief.

3295 I oppose the Requête. I will not be supporting any of the Propositions. There is a constraint on resources in this place, and this is not a priority in my mind. It is not part of the Government plan, and this will become another workstream that will require resource.

3300 And it is not only the facilities, it is also the support, because Members are wanting research assistance and other assistance to come in, which is going to mean more public servants to serve the parliament. So the calls on P&R plus the SAC Committee to put resources into Members' space requirements at this time, and the addition of new services of support to elected representatives, all add to the cost of Government, and the taxpayer has to find the money to pay up.

3305 And it will all add further to the inflation-busting increases by Government this year that I mentioned earlier, but I was interrupted, so I will repeat them. (*Laughter*) The 20% to 30% increase in mooring fees, the jump in electricity charges 9%, 13%, and this year another 10%. TRP hikes, particularly on larger properties of 30% to 40%, and yesterday again another £25 hike on fixed penalties, 65% increase on parking fees. Terrible, terrible. All price rises this year, sir, that will have a negative effect on local business and an economic burden on lower-income Islanders. (**Several Members:** Hear, hear.)

3310 Such price rises well above inflation impacts household budgets and reduces disposable incomes, and those disposable incomes are important to our economy, because it builds the economy, and also taxing the parking in Town here and also on the Bridge is not good, because we should be developing, we should have interest in developing our growth pole here in Town, which we are working against actually. And we should not be, we should be fostering the growth. (**A Member:** Hear, hear.) And it is the central poles, St Helier, Southampton, London, Manchester,

those are the growth poles. And we have to see that we facilitate growth in the Town and not decentralise everything, because what we are doing is weakening our system here and our growth model. You have to centralise to grow and develop the economy.

So just in finishing, I hope that the coming Budget will aim at reducing costs to the public and the inflation spiral that this Government has been actually fostering this term, and I have given some indications of that. The Government here is responsible for part of the inflation and the hardship that people are having out there. **(A Member: Hear, hear.)**

So I would suggest that Members solidly reject this Requête.

Thank you, sir.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir.

I have been listening carefully to this debate, and so many Deputies have made so many good points that often conflict with each other. I have had quite a difficult time making up my mind on how I am going to vote on this.

On Propositions 1 and 2 I agree with Deputy Roffey's analysis. Having looked at the Latimer House Principles and the Model Law, they really are nothing to do with us. They contemplate a separate executive, separate from the legislature. They contemplate political parties. I do not know how this would work here. We have only got one great political party at the moment *(Laughter)* that Deputy Vermeulen and I work with, so I do not know how you could work it with one political party.

And there were a couple of other points to go along with that. I do not like looking around the world for a Law that looks okay and let us copy it, then we will be modern and up to date and everyone will think we are great. All of these extra laws do have more costs, which Deputy de Lisle has alluded to that.

You know, this morning we have done our little bit we have added one more civil servant to register vets and vet practices. So we have added our little ...

Deputy de Sausmarez: Point of correction.

The Bailiff: Point of correction, Deputy de Sausmarez.

Deputy de Sausmarez: Vets were already required to be registered. What the Assembly approved this morning was the registration of veterinary nurses and practices and visiting veterinary, or the requirement to notify the States, etc., but vets were already required to be registered.

Deputy Dyke: I thank Deputy de Sausmarez for the technical correction, but at the back end of that paper there is a requirement for one new position.

So I do not think Propositions 1 and 2 are necessary or needed, and unless a new Law is absolutely necessary, then we should not be passing more and more. Piling them up is not helping us.

As to Propositions 3 and 4, reordering the use of rooms around this building I think could be a sensible proposal, so long as there are not excessive costs. We do not have an analysis of what the cost would be. But I suppose before this happens the matter will be looked at, and we will know what the costs would be. So perhaps the proposers of this Requête could just clarify that.

So I am definitely voting against Propositions 1 and 2. Propositions 3 and 4 I still have an open mind about, subject to their comments about cost. But Deputy Dudley-Owen made a good point, that if we do have a place where it is more convenient to be together, that probably would help in having conversations and chats and working things out together. So I think there is some benefit in that, and so long as the cost is not too much, then I would go along with Propositions 3 and 4.

So that is how I am looking at it. Thank you.

The Bailiff: Well, Members of the States, we have got a CPA Guernsey branch AGM starting now. Earlier people were saying that they wanted to speak in general debate and they have not yet stood up. So what I am tempted to do, even though it might make me unpopular, is not to extend the sitting so that we can finish the sitting now, but to adjourn until 9.30 tomorrow morning. So we will adjourn to 9.30.

3370

The Assembly adjourned at 5.30 p.m.