



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 20th November 2024

*All published Official Reports can be found on the
official States of Guernsey website www.gov.gg*

Volume 13, No. 25

ISSN 2049-8284

Present:

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

Law Officers

M. M. E. Pullum, K.C. (H.M. Procureur)

People's Deputies

S. E. Aldwell	A. Kazantseva-Miller
A. H. Brouard	C. J. Le Tissier
Y. Burford	J. P. Le Tocq
T. L. Bury	D. J. Mahoney
A. Cameron	A. D. S. Matthews
D. de G. de Lisle	L. J. McKenna
H. L. de Sausmarez	N. G. Moakes
A. C. Dudley-Owen	R. C. Murray
J. F Dyke	V. S. Oliver
S. P. Fairclough	C. N. K. Parkinson
S. J. Falla	L. C. Queripel
P. T. R. Ferbrache	P. J. Roffey
A. Gabriel	H. J. R. Soulsby
J. A. B. Gollop	G. A. St Pier
S. P. Haskins	L. S. Trott
M. A. J. Helyar	S. P. J. Vermeulen
N. R. Inder	

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 C. P. A Blin (*relevé à 9h 46*); Deputy M. P. Leadbeater (*relevé à 9h 46*);
Deputy C. P. Meerveld (*relevé à 11h 09*); Deputy R. G. Prow (*indisposé*);
Deputy A. W. Taylor (*relevé à 10h 25*)

Business transacted

Evocation	1977
Convocation	1977
Statements	1977
General update – Statement by the President of Health & Social Care	1977
General update – Statement by Alderney Representative Roberts	1988
Questions for Oral Answer	1998
Bus services – Passenger user trends, service cuts and fare increases	1998
Ferry tender process – DFDS bid	2003
Alderney air services – PSO reduction and fare increases	2009
Billet d'État XIX	2016
2. Non-Contributory Benefit Rates for 2025 – Debate commenced	2016
<i>The Assembly adjourned at 12.30 p.m. and resumed its sitting at 2.30 p.m.</i>	<i>2023</i>
Non-Contributory Benefit Rates for 2025 – Debate continued – Propositions carried	2023
Billet d'État XX	2039
Legislation laid before the States	2039
The Police Complaints (Conduct Proceedings and Investigations) (Guernsey) (Amendment) Regulations, 2024; The Customs and Excise (Dyed Fuel) (Relief and Drawback) (Guernsey and Alderney) (Amendment) Order, 2024; The Immigration (Provision of Physical Data) Regulations, 2024; The Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2024; The Export Control (Military, Security, and Related Matters) (Bailiwick of Guernsey) (Amendment) Order, 2024; The Customs (Rules of Origin: Claim Verification and Determination, and Record Keeping) Regulations, 2024; The Methods of Valuation (Import Duty) (Amendment) Regulations, 2024; The Plant Health Preserved Phytosanitary Conditions Regulations (Amendment) (Guernsey) Number 2 Regulations, 2024	2039
1. Vaping Products (Enabling Provisions) (Guernsey) Law, 2024 – Proposition carried	2039
2. The Social Insurance (Rates of Contribution and Benefits etc.) Ordinance, 2024 – Proposition carried	2044
3. Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2024 – Proposition carried	2045
4. Waste Management Services (Charging) (Amendment) Ordinance, 2024 – Proposition carried	2046
5. Superannuation Fund – Actuarial Valuation – Propositions carried	2047
6. Polling Stations and Postal Voting – Proposition carried	2050
7. Review of the Implementation of NICE Technology Appraisal Drugs, Treatments and Devices, and Future Funding Options – Debate commenced	2060
<i>The Assembly adjourned at 5.35 p.m.</i>	<i>2078</i>

PAGE LEFT DELIBERATELY BLANK

States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The States' Greffier

EVOCATION

CONVOCATION

The States' Greffier: Billet d'État XX of 2024. To the Members of the States of the Island of Guernsey, I hereby give notice that a Meeting of the States of Deliberation will be held at the Royal Courthouse on Wednesday 20th November 2024 at 9:30 a.m. to consider the items listed in this Billet d'État which have been submitted for debate.

5

Statements

COMMITTEE FOR HEALTH & SOCIAL CARE

General update – Statement by the President of Health & Social Care

The Bailiff: Members of the States, good morning.

The first item of business that we will turn to is a Statement on behalf of the Committee for Health & Social Care and I will invite Deputy Brouard, the President, to deliver that Statement please.

10

Deputy Brouard: Thank you, sir.

I would like to update the Assembly on the positive progress in transforming our health and social care provision. We need to ensure that we are appropriately equipped and resilient with regard to our services and capable of meeting both the increasing and changing needs of our community. I am pleased to advise that phase one has largely been built. This includes the new Critical Care Unit (CCU) and Post Anaesthetic Care Unit (PACU).

15

As well as the new electrical infrastructure upgrades, there have been several opportunities for our clinical teams, senior leaders and our colleagues in the Policy & Resources Committee to tour the new facilities, with the feedback being received being overwhelmingly positive.

20

Looking ahead, what follows next is a programme of bringing the facility into use for both staff and service users as soon as reasonably practical in 2025. This will involve an intensive process of fitting out the new area, relocating the critical care service and the provision of appropriate training of all the clinical staff within the new area. My thanks and appreciation must go to those teams who have continued to work tirelessly to get us to this position. These new facilities will provide another

25 step to the best possible working environment for our professionals in our delivery of healthcare for the future.

Turning now to phase two of the programme, as already advised the Assembly in May this year, the Committee commissioned an independent firm to review its plans for this important next phase of development of modernising our Hospital facilities. The information provided by this value engineering exercise is going to be hugely beneficial in understanding how we best move forward in a fully informed way.

We are currently clarifying a number of points so that we can find a pathway through that will deliver the facilities and benefits afforded by phase two and align closely as possible with the needs, expectation and budget. The output of this exercise to date has been positive. However, as with all major capital projects, we need to do further due diligence and we are meeting with Policy & Resources Committee again shortly to continue our discussions and determine next steps. I believe that meeting is next week.

With the Budget debate fresh in our minds, we must remember that this is not just about cost. The dialogue must be about the service resilience that these new facilities will bring to our community over at least the next 30 years. We need to continue to find more suitable ways to deliver the range of Health & Social Care services that will be needed for our ageing population. Phase two remains fundamental to that process. Without it, Islanders will wait longer for procedures, will have to increasingly look to off-Island providers for services, not without cost. Without it, staff will need to meet increasing demands in facilities that are lacking, healthcare outcomes will be affected and, no doubt, we will be storing up problems for future generations.

The Committee is unswerving in its commitment to deliver the benefits of phase two in a fiscally prudent way and will continue to keep States' Members updated.

Another critical element of the HSC Transformation Programme is our continued work on the Electronic Patient Records Replacement (EPR). In my September Statement, I advised that due to challenges with resources and complexity, the completion of the first stage of the implementation of EPR is forecast for the end of June 2025, with further stages to complete by the end of June 2026.

I noted that this is a large and complex programme and that the Committee does not wish to compromise on scope or testing, but to ensure a safe and effective programme of digital transformation is delivered for the benefit of all Islanders. I also noted that the cost forecast for the programme is now around £22.2 million and that we are working closely with Policy & Resources Committee regarding funding.

Work continues at pace to deliver to this timeline, with a current focus on migrating data from the existing systems and on through to testing the new EPR system by teams of clinicians in Health & Social Care and the Medical Specialist Group. Feedback from the testing team so far has been very positive and the staff are now getting the new tools in their hands and are able to see how they would work in practice for their teams. As noted, this is complex work and inevitably there will be more bumps in the road to overcome as we progress. While there are some challenges with timely delivery of our key infrastructure supplier, the current project does still remain for the replacement of track care at the end of June 2025.

The programme team continues to monitor progress and regularly reports to the Governance Board and to the Committee. I can confirm that the Committee has made a request to the Policy & Resources Committee for the additional funding to support the revised cost forecast of £22.2 million and based on the discussions between officers and HSC and strategic finance, the provision for a 10% optimism bias should unknown further challenges. That 10% is on the funds that we are yet to spend, not in the not in the total.

We will, of course, keep the Assembly advised on the continued progress of this important and beneficial programme. And indeed, yesterday, HSC held a session to provide Members who expressed an interest following the States' Meeting on 4th September to discuss EPR and a further opportunity to ask questions. The additional information made available at this session will be circulated to States' Members shortly.

I will now move on to update the Assembly on the positive progress made in relation to the Our Community Service projects. Works are progressing well with the much-needed new specialist residential provision at L'Islet, known as La Vieille Plage. Once completed, this will provide 14 bespoke flats, tailored to meet the needs of future residents who are varying degrees of learning and physical disabilities. Through the Guernsey Housing Association and its construction partners, this is now a busy construction site with the bones of an impressive looking building. The site is nearing the stage of being wind and watertight and this is a great milestone, and it is due to be ready for occupation next summer. An exciting time for all involved in this long-awaited project.

In relation to the Children & Families Hub, the project is now progressing and options are being explored for co-locating services which support children and their families at the Raymond Falla House site. The Children & Families Hub will deliver significant benefits, including improved outcomes for children and their families through enhanced access to and co-ordination of services and improved working environment for staff, supporting recruitment and retention and the ability to exit and return buildings to States' property unit for sale or repurposing. And in fact, the Committee visited Swissvale and Garden Hill only yesterday.

A wide range of stakeholders have been engaged and the requirements to support future service delivery have been scoped. Thank you to all involved in that detailed exercise. On completion of the detailed options appraisal for the physical premises design, a business case will be submitted for support and full consideration. My personal plea is please make sure it is a new build and not a remodelling of Raymond Falla House.

I would like to move on to focus on some of the key pieces of policy work. I advised in my December Statement last year that the Committee had engaged solutions for Public Health to carry out a review of the implementation of drugs approved by the National Institute for Health & Care Excellence, or NICE TAs. We have delivered on this promise and this matter is being scheduled for debate during the States' Meeting.

Likewise, I advise that as part of the Committee's mandate to promote preventative measures to improve health and wellbeing, we would move towards greater regulation of vapes. Again, we have delivered on this commitment and we are seeking approval of the Vaping Products (Enabling Provisions) (Guernsey) Law 2004, during the States' Meeting.

It will be the subordinate legislation that will set out the prohibitions of selling vapes to children, introduce advertising restrictions, establish a retail licence scheme and ban the sale of disposable vapes. This legislation is being drafted and our officers are beginning the work to consult with colleagues in other departments such as Environmental Health and Customs, before those drafts can be finalised and presented to the Committee. It is our intention to submit that subordinate legislation to the Assembly before the end of this political term.

With regard to the Capacity Law, work continues to progress on implementing parts of the Law relating to the Protective Authorisation Scheme. The Committee has recently approved a phased approach that it is hoped will see parts of the Law come into force before this political term. This includes concepts around capacity and best interests, advance care planning and advanced decisions to refuse treatment, with the remaining parts of the Protective Authorisation Scheme coming into effect in the second half of 2025.

As I have highlighted before, this is a complex and increasingly important piece of work that will have far-reaching impact across Health & Social Care and care sector, as well as the wider States and the Bailiwick as a whole. As part of this work, we are also currently engaging with various third sector organisations to provide an adult advocacy service. This will provide independent support for those who lack capacity, who have no one else, who can act on their behalf when it comes to treatment and care. It represents a great opportunity to utilise the skills and knowledge present in the third sector as a commissioned service.

A new Capacity Law web page on the States of Guernsey website has recently been launched and includes items such as the Code of Practice and different information leaflets. The site will continue to be updated over the coming months. Given the scope of the work, there will also be

further engagement taking place in the coming months, including with colleagues in Alderney and Sark to ensure that they are also able to take these steps to implement the Law.

130 Just drawing to a close, I would like to acknowledge the continued efforts and hard work of all those involved in managing the ongoing waiting list challenge. While waiting lists generally remain higher than any of us would like, there are approximately 400 fewer people waiting for inpatient admissions compared to this time last year. And that is a significant achievement, especially when one considers the number of people coming through are rising.

135 I was very pleased to recently announce that HSC has partnered with New Medica to offer ophthalmology – I can never say it; patients who have got issues with eyes – treatment off-Island to reduce the waiting time for both cataract surgery and outpatient appointments. We must recognise the additional work in orthopaedics and gastroenterology which have reduced waiting times and many other steps taken across Health & Social Care and the Medical Specialist Group to tackle waiting lists in other areas.

140 As I and my fellow Committee Members will continue to advocate, the ongoing modernisation of the Hospital is a critical factor in our long-term management of waiting times.

Thank you, sir.

145 **The Bailiff:** Members of the States, before I invite you to ask questions, can we just check some Members who need to be relevéd? Deputies Blin and Dyke. Although you might have been present, the Greffier has not noted you as being present. So do you both wish to be relevéd?

Deputy Blin: Yes, please, sir.

150 **Deputy Dyke:** Yes, sir.

The Bailiff: Thank you.

And Deputy Leadbeater, do you also wish to be relevéd?

155 **Deputy Leadbeater:** Yes please, sir.

The Bailiff: Okay.

160 So the opportunity to ask questions is on any matter within the mandate of the Committee *for* Health & Social Care, except any topic which is part of another item of business at the Meeting in question. So you cannot ask about NICE TAs and you cannot ask about vapes because you have that opportunity later.

Who wishes to ask a question? Deputy Queripel.

165 **Deputy Queripel:** Sir, thank you.

So there are sections of the roof at the Hospital and HSC Le Vauquiedor headquarters covered in moss and gutters with weeds in them which will eventually damage the building. I know the President and his Committee are concerned about the condition of the buildings at the Hospital site. Can you, please, tell me what he and his Committee are doing in an attempt to accelerate the maintenance of those buildings?

170 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you, sir.

175 There was a time when we had our own staff at the Hospital that would work, basically, for the Hospital and had that real commitment to work there. We agreed to the PTOM, where we moved some of the property maintenance through to Policy & Resources Committee and the Central Hub. It has not been as happy as I would like. I am a real nitpicker, as Deputy Queripel will know. And we

are constantly raising issues. And I know that they are probably small in the scheme of things, but they are important that we do maintain our buildings, that gutters are clean.

180 We have recently written to Policy & Resources to kindly revisit the policy, because you really need to have people who have got actual ownership of the problem. They are more likely to get the job done. But thank you for raising it and giving me this opportunity to mention it again.

I am sure the staff in property services work really hard. We just probably need more of them and more contractors or more employed staff to keep up with our maintenance across a whole fleet
185 of buildings. I even noticed some of the buildings walking down the Grange this morning that we own that needed some work, but no.

Thank you, sir.

The Bailiff: Deputy de Lisle.

190

Deputy de Lisle: Thank you, sir.

A question with regard to phase two of the Hospital development. Given the problems of finding staff and accommodation for them, how many staff would be required to staff phase two and how would they be accommodated?

195

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you for that question, Deputy de Lisle.

I think, if phase two, in its full implementation takes place, which would then see ... if we were
200 building now and finishing in 2030 or so, we would probably need about another 187 staff. A big chunk of those and some of our existing staff would be accommodated in John Henry Court, too, which you would have agreed to carry on building with a few months ago. Well, a few years ago, but you decided not to and have delayed. We have not got those places. We are just going to end up putting more pressure on an already overheated Local Market because of the intransigence of
205 this Chamber and some of my colleagues to move forward on that particular part. That would have given us a substantial 120 units of accommodation which would have taken the pressure off the Local Market.

There are some – and thanks to ESS and E&I, we have got some facilities coming through for the GHA. I think there is the Old Flying Dutchman, there is the Guernsey Tyres, all coming through.
210 But it will come through, probably, a little bit too late for that I would like, but that is the progress being made. These are the impacts of, the decisions that you made earlier in this term that come home to roost. Yes, and we definitely do need that accommodation for staff.

Thank you, sir.

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

Deputy Kazantseva-Miller: Sir, the Children & Community Hub at Raymond Falla House that the President mentioned will be critical to unlock other brownfield sites in States' ownership to enable an affordable house building programme. Those sites include Swissville, Lukas House, King
220 Edward Hospital and probably other places as well.

Could the President give us an indication for the completion timeline for this project, for the community hub? Will it be completed or is it on the plan to be completed the next political term?

Thank you.

225 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you for that question.

I think it will definitely fall into the next political term. We are still working with ... because the project is being basically run by Property Services, with assistance from our staff as they co-ordinate

230 all the pieces together, the jigsaw. It is still quite a massive project to do. There is a whole ... I would prefer a knock down of Raymond Falla House and a complete rebuild. That is going to take quite a few years to accomplish. But you are absolutely right. It is the right thing.

Talking about the Castel Hospital, that is more for adult services. And there will be, in years to come, some adult services hub that will be required which we can then vacate the Castel site.

235 So I think we are some way away, but we are working closely with Policy & Resources to progress this as soon as we can.

Thank you.

The Bailiff: Deputy Fairclough.

240

Deputy Fairclough: Thank you, sir.

Could the President explain why an open invitation to all Deputies was not issued to the presentation on the status of the Electronic Patient Records project, please.

245 **The Bailiff:** Deputy Brouard.

Deputy Brouard: The reason for that was as, I think we have made a statement on the, or something happened on 4th September, I was talking about EPR, we asked at that time for any States' Members who wanted to have a one-to-one or a close discussion with the staff members involved and a number of States' Members very kindly put their names forward and we have accommodated those States' Members.

250 It was not a general, all of us come into a large room like we had at the Cotils several months ago. It was just for those Members who had a genuine interest to come in and talk to the senior staff. And we had six members of senior staff available yesterday morning for those Members who had expressed an interest to come and talk to us.

255 But if you have got any specific questions, Deputy Fairclough, we are very happy to answer them for you. But that was the reason. It was meant to be much more intimate, so people could really get to the nub of what they wanted. And one of the Members here, I think Deputy Dyke, very kindly took that offer up yesterday.

260

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, sir.

265 I would like to build on Deputy Fairclough's question about the Electronic Patient Records. I was one of those Members interested, but could not make the date or the rearranged dates, yesterday. But I would like to understand at times when budgets are under focus, how the £5 million overspend came about, that is nearly 30% on the EPR project.

270 And Deputy Brouard mentioned it, in his Statement, that resources and complexity – that is a complex word to say – have contributed to the projected overspend, and I would just like to understand what oversight is in place to prevent any further resource or complexity difficulties.

Thank you.

The Bailiff: Deputy Brouard.

275 **Deputy Brouard:** Yes, thank you, Deputy Gabriel.

There are quite a few changes that have happened over the course of time; the project has become more complex than I think the people who originally set it up for believed it would be. There have been issues with contractors. There have been issues with freeing up staff to be able to undertake some of the work.

280 But I think you, very kindly, gave me sight of this question last night. My staff have not been able to get back to me with a with a decent brief for you. However, they are sending out the notes from

the meeting we had with Deputy Dyke yesterday. And the staff have added that they will be very pleased to add a chunk with regard to that direct question.

Thank you very much.

285

The Bailiff: Deputy Aldwell.

Deputy Aldwell: Thank you.

290 The Electronic Patient Records, I wanted to ask, please. They only affect HSC service and medical specialists. Why not the general practitioners, the GPs? Why not bring them all together so that they have access to those records as well, please?

The Bailiff: Deputy Brouard.

295 **Deputy Brouard:** Thank you.

When the original scope for this exercise happened, the idea was to bring in both GPs, dentists and all practitioners, St John Ambulance. However, the size of that project became too big for us to manage and the costs were looking astronomical. However, what we then, the Committees, not necessarily my Committee, the one before, was to scope it down to get the core piece done first which is changing over from track care to a new digital system.

300 The GPs are also looking for a new system for their records and we are in liaison with them to make sure that whatever system they have can be linked into ours in the future. But it was just too big a scope and too expensive to do it all at once. From where we are, you can see with how the Budget has increased, we have struggled just doing the core. We need to really press on and get that done. To have it widened to have dentists and St John Ambulance and the GPs at this time would have just made it almost an impossible task. That is why it was scoped down deliberately to get the core done. And with the idea that we will bring in, so we have an integrated Health Service in the future, based on this spine.

310 **The Bailiff:** Deputy Burford.

Deputy Burford: Thank you, sir.

I thank the President for his update. Sir, the Committee's spend next year will be around a quarter of £1 billion which is almost 40% of the entire States' Budget. Two years ago, this Assembly agreed that one of the most significant challenges to financial sustainability was the increasing demands on health and care provision which required delivery of expenditure, restraint and savings and the development and delivery of a revised health and care model. And it was a very high priority for Government.

320 My question is this: has the Committee been working with P&R on this priority workstream? What progress can it report? And does it believe that the pressures of the day-to-day job are preventing it from discovering and implementing the efficiencies, restraint and preventative healthcare strategies that would lead to cost control?

Thank you.

325 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you for that question. It is very pertinent.

330 And I think, taking the last bit first, yes, the challenges that we have on a day-to-day basis do inhibit, at times, our ability to do all that forward work that we need to do. And that is why Policy & Resources, very kindly, have increased the budget to get a health economics person in to give us that background support which has, I think, been budgeted for. So that is something we will progress.

I do not think the issue of the change in P&R, over the time, has helped because there was a project going on where we were looking at, and it links in with the one that Deputy Kazantseva-Miller has been working on, looking at savings. And there are some savings, but they also need a lot of work to make them come into fruition. But the other way of raising funds, of course, is looking at fees and charges which is never a popular one.

It is surprisingly ... As a herd, we all want our health and social services to be somehow cheaper and cost less, but when we individually need our personal care, we want the most, we want more. We want granny to have this and how dare you not provide this! How dare you not have sent somebody round at nine o'clock in the morning to help mum get up. How dare you not do that, Deputy Brouard, I have been paying my taxes for 40 years. How dare you! And that is the pressure that we are under at –

The Bailiff: Deputy Brouard, your time for answering has expired.

Deputy Brouard: Thank you.

The Bailiff: Deputy Cameron.

Deputy Cameron: Thank you, sir.

Given the vital role that reliable internet access plays in helping elderly residents, patients and those in care stay connected with their families, access support and maintain their mental wellbeing, what is the Committee for Health & Social Care doing to address the inconsistent Wi-Fi connections across their care settings?

Thank you.

The Bailiff: Deputy Brouard.

Deputy Brouard: And thank you very much for that question. And thank you very much for giving me the heads up on it yesterday.

I think all of us will know the difficulties that we have with regard to Wi-Fi infrastructure in whichever buildings we happen to be in and the States' fragility, at times, in this particular area.

I am aware that there are arrangements in place for patients and visitors to the PEH and I have asked our team for further information about Wi-Fi access for residents, both young and old, in longer care settings in HSC. And we will come back to you on that. It is an area which we have never really looked at but thank you for your question. It will spark an interest and we will come back to you with .. Because I have got a feeling it is going to be chequered. I think some places will have good Wi-Fi, but you might take St John's at Sausmarez Park. I do not know what they have got there. I do not know what they have got at the Croft or other places where we have got adults and children.

But, sir, thank you for the question.

The Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir.

Thank you for your update, Deputy Brouard. In response to your question to Deputy de Lisle, the President praised, I think it was, the GHA for bringing forward a number of sites, and they were Channel Tyres, Braye Lodge and Braye Lodge Hotel and one other.

Would he reconfirm that the Channel Tyres site and the Braye Lodge Hotel now appear to be targeted towards health workers and not the local working population, i.e. non-local workers?

The Bailiff: Deputy Brouard.

385 **Deputy Brouard:** It is starting to fall slightly outside of my mandate, because we are the service
user, as it were so we require other Committees to bring forward housing. But I believe that one of
the reasons for the purchase of the Braye Lodge site was because of its proximity to the Hospital
for key workers. But of course, every additional unit of housing we have on the Island is great. Every
nurse that I bring over to look after your loved ones needs to be living somewhere. If that nurse
390 comes in, and sometimes with a package, ends up displacing a local person, you have got a local
person who has not got a house or a place to live. That is, unfortunately, why we are using some
hotels. That is why we are having to rely on agency and the whole thing comes back down, as we
all know, that we have got an issue with regard to housing on Island. (**A Member:** Hear, hear.)

Thank you, sir.

395 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Sir, I thank the President for his able address, even if he had difficulty with
one or two words, which I fully appreciate. But the reason I am rising to my feet is his impassioned,
400 but it seemed to me, pertinent point when answering Deputy Burford's questions about cost.

Has his Committee got any detailed proposals for charging for certain services that are currently
free?

The Bailiff: Deputy Brouard.

405 **Deputy Brouard:** I managed to find the word, it is ophthalmology. I am back on speed.

No, we have got no plans that have been worked up to a detailed stage of increasing or bringing
in any new charges at this time. If we find ourselves in a position that this States decides that they
want to charge our Islanders for some of the services that they now get for free, I will stand there
410 with the banner saying, 'Yes, that is fine, but you need to pay more as an Island.' But please make
sure the 39 of you are behind me. I do not want to look around and find you have all gone to
ground, or you are saying, 'Not on my watch, yellow campaign ribbon.' (*Laughter*) So, no, I would
like to keep the position as it is now.

Thank you for that.

415 **The Bailiff:** Deputy Oliver.

Deputy Oliver: Thank you, sir.

You mentioned phase one would be finished sometime next year, I believe. And I think things
420 have been added in, certainly more building works have been added in, but is that on Budget? And
is it looking like it is going to stay on Budget, even with those things that have been added in?

The Bailiff: Deputy Brouard.

425 **Deputy Brouard:** I have not got an exact figure in front of me. And rather than mislead the
States, can I come back to you with that figure as to where we are and how it is looking for the final
figures, because we are obviously in discussion with contractors. It is quite a complex build because
we had the new cables coming in to run St Andrew's to make sure that their lights stay on there. So
I will come back to you on that particular question.

430 Thank you very much.

The Bailiff: And that will be within five days?

Deputy Brouard: Yes, sir.

435 **The Bailiff:** Deputy Gollop.

Deputy Gollop: I have had a few technical problems today with my equipment, possibly like Health, but my question is: I know this Health & Social Committee Board have relatively little time left for policy making and shaping but would the President agree that we would perhaps solve more of our health costs and problems by focusing even more on active travel and also on preventative work and what I would call Public Health policy, so that we really emphasise activity, wellness, improved diet? I do not know, but all those kind of things.

Could the President commit more resources and policy strength to that initiative as well as the excellent work done on critical care and clinical care?

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you very much for that question, Deputy Gollop.

You are absolutely right. It is very difficult to move resources away from acute frontline to things like active travel or weight loss, or making sure that you are fit.

I think and I hope today most Islanders know whether or not they should lose some weight and be a bit fitter. I am not looking at anyone in particular, Deputy Gollop. *(Laughter)* But yes, I think we all know what we should do. And it is incumbent ... Health is for all of us. We all need to make sure that we look after ourselves and take some responsibility for our own bodies. We can give some guidance. We have got some budget. We did ask for P&R for some and they very kindly gave it. And that will be used through our health professionals and also with the Health Improvement Commission to encourage.

But we have programmes running all the time in schools, healthy weight, quit smoking. There are loads of initiatives. And all of this will help to make us live longer and fitter and less cost to the States. But the cost will still be a bigger cheque. It just means that we can make a slightly smaller cheque in the future. But you are absolutely right and we will be continuing to push as many campaigns as we can for healthy eating, exercise, lifestyle changes.

The Bailiff: Time is, once again, up, Deputy Brouard.

Well, the 20 minutes have expired, but everyone seems to be having such a nice time that I will extend the questioning of the President for a short period of time, but particularly for those who have not yet had the opportunity to ask a question.

The Bailiff: Deputy Trott.

Deputy Trott: Sir, mine is a short one.

Would Deputy Brouard agree with me that most, if not all, Members of this Assembly are *extremely* grateful for the excellent work that those involved in our health and social care provision deliver?

The Bailiff: Deputy Brouard.

Deputy Brouard: Absolutely. I thank the Chief Minister for that.

We are very indebted to people. People move from other countries to come and work for us here. And without them, we would really struggle. No, absolutely. I take my hat off to those people. It is a job that I certainly could not do. And when the Bailiff says that we will be very happy that we enjoy carrying on with question time, there are only 39 of you, not me.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

I would first like to correct the implication given in a previous answer, that the Assembly's decision on the development of the Green Valley at Le Vauquiedor has somehow delayed the

490 provision of key worker accommodation because the Requête that attempted to stop it actually
lost. So the Assembly supported that development, but the business case could not be made. And
even if it could have been, it would have taken a lot longer than the accommodation that is currently
being developed.

But building on Deputy Gollop's question, I wonder whether Deputy Brouard would agree with
me that the most recent results of the Childhood Measurement Programme have shown a positive
495 trend in that overweight and obesity in children, notably Year 5 children, has decreased in stark
contrast to comparable jurisdictions such as Jersey and England, and much further afield. So the
interventions that have been invested in, in terms of nutrition and active travel etc. are, indeed,
paying dividends.

And so, further to Deputy Gollop's question, I wonder whether there is a strategic intent to invest
500 more? I do appreciate that we cannot take –

The Bailiff: Time is up, Deputy de Sausmarez.

Deputy Brouard: Again, in answer to the last part of the question, yes, there is a strategic need.
505 This comes into the, I probably cannot mention NICE drugs, but it also comes into that when we
had that presentation. The more we can be upriver putting in preventions, it is going to cost us a
lot less downstream when we have to do acute services.

So absolutely right. And we have got some funding to do some initiatives in that regard. And
yes, the stats are coming out very shortly when they have done the formatting with some good
510 news in certain areas as well.

So thank you for that question.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Sir, e-rostering has been on the Committee agenda as a project
515 that could deliver efficiencies for a long period of time. It has now been officially signed off as one
of the tier one initiatives in the savings report that should be further investigated with potential
delivery.

Could the President let us know whether the Committee has done anything further to progress
520 this project, whether it is now part of the projects portfolio, whether team resources have been or
are planning to be allocated to this project to progress it further?

Thank you.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you very much for that question.

We have been trying to bring in e-rostering for about four years and our finance business partner
is very keen on doing so. I am very grateful for the States, two weeks ago, to give us the go ahead
for the funding in that respect. Where the programme actually sits at this present moment in time,
530 I just do not have that that detailed. But I will be very happy to provide that from our staff within
five days, sir.

The Bailiff: Oh well, no more questions to the President.

**General update –
Statement by Alderney Representative Roberts**

535 **The Bailiff:** So we will move on to the next update Statement which is from the States of Alderney. And it is going to be given by Alderney Representative Roberts.
So please deliver your Statement, Alderney Representative Roberts.

540 **Alderney Representative Roberts:** Good morning, everybody.
I am grateful for the opportunity to update the Assembly on the work undertaken across the States of Alderney to date and our priorities for 2025. It has been a very busy year for our Island, and I will focus on the areas of our work which have been the most pertinent to the Bailiwick as a whole and the relationship between our two Islands in particular.

545 As well as close Bailiwick ties, we share the same agenda for change with Guernsey and this is demonstrated in the similarities in our ongoing programmes of work, in a list that will be all too familiar to Guernsey colleagues. We have focused on the sustainability of public finances, modernising our Civil Service, securing the core services required by our community and supporting and fostering economic growth.

550 We continue to work closely with the Guernsey Public Service and have established great collaborations. This contributes to improving working practices and processes and provides expertise in those areas that our organisation does not have readily available. Good examples include work with your Planning and Data Protection departments. During 2025, we would like to build on this positive experience and explore options for enhanced collaboration, creating
555 opportunities for people and young families to build a successful public service career within the Bailiwick.

The themes on the agenda of the Island Plan continue to mature as we focus on those areas which will make the greatest difference to our community. There are, of course, only limited resources available within Alderney, and we are conscious of the need to prioritise effectively,
560 including considering how our workstreams can be complementary to the Guernsey equivalents.

To take our areas of focus in turn, we have focused on public finances, striving towards value for money, challenging expenditures, identifying opportunities for additional income and delivering efficiencies, so that funding is allocated to areas of greatest priority.

565 Exceptional and unavoidable operational pressures within health and care provision in the last two years have brought new challenges. However, through careful financial management, coupled with significant income through Document Duty and property transfer duties and a good return on investments, 2024 is forecast to provide a £400,000 surplus. This will be a welcome addition to our general reserves to ensure we have capacity to be resilient in less favourable years. However, it is recognised that this positive position is based on volatile income streams. And therefore, whilst a
570 balanced Budget for 2025 has been achieved, we remain vigilant as we enter the New Year.

Despite delivering this balanced Budget, we continue to explore alternative sources of revenue to diversify our income streams and reduce resilience on key taxes. We also continue to explore opportunities to optimise operating costs and improve efficiencies whenever possible.

To be successful in putting Alderney on a stronger financial footing, it is crucial that investments
575 are made to improve connectivity and ensure reliable and affordable links are secured. We are conscious of the simple fact that the cost of delivering essential services on a small Island is relatively high. We appreciate that the cost of transfer services such as healthcare, education, the Airport emergency service exceed the taxes paid to the Bailiwick to help pay for all of these. Improved and affordable connectivity will enable Alderney to grow its tax base and increase its contribution to the
580 Bailiwick.

In the same vein, the cost of service provision continues to rise and every effort is being made to identify opportunities for efficiency. This is proving difficult with our fragile connectivity issues which must, therefore, be our immediate priority. At the same time, we are continuing a proportionate programme of capital investment, predominantly funded by the Alderney Gambling

585 Commission Control surpluses. We have a structured programme of investment, combining key routine infrastructure works with new projects to ensure we continue to align with the States' strategic goals and the Island Plan.

In 2024, we are focused improvement on the phased work on the Platte Saline sewer scheme which has successfully enabled many properties to be connected to the main sewer. Road and pavement resurfacing will be the main capital spend in 2025 and is anticipated to provide a much more long-term, structured approach to our Road Maintenance Programme.

595 Stabilising healthcare provision has been at the forefront of our public services with primary healthcare services, the Island Medical Centre, now operating safely and efficiently and providing an enhanced service to the public along with increased patient appointments. I cannot praise this organisation enough, actually.

The Ambulance Service, provided by St John, and Rescue Service, commenced in 2023. The Alderney service is a satellite station of the Guernsey organisation, operating under the same clinical governance and framework with ongoing support, leadership and oversight, provided by senior staff in Guernsey. Locally based staff have been suitably trained and are supported by a small number of volunteers who act as community first responders. The new resilient and professional service provides reassurances to the community and complements our existing emergency service provision on-Island.

605 Stabilising healthcare, while hugely important, was only the short-term aim. Our longer-term aim is to develop a sustainable and integrated care model that can effectively respond to the needs of an ageing population. The vision of the integrated care system is the focus of Alderney's Care Board which is a joint effort between Guernsey and Alderney. We welcome working with colleagues in the Committee for Health & Social Care and collectively develop delivery models that could be rolled out throughout the Bailiwick.

610 Importantly, this joint working, with regard to healthcare, has demonstrated a mature 21st century approach to the transferred services, where the two Islands have worked collaboratively. And acknowledging respective roles and responsibility to ultimately deliver improved services which should lead to efficiencies for both Islands. We hope that this can provide a blueprint for other areas of working between the two Islands. Although developing integrated care has been challenging and progress has been slower than we had hoped, we remain *strongly* committed to its delivery.

615 Similarly, in common with Guernsey, we wish to support and foster economic growth. And a key focus was the preparation work carried out for the Moneyval inspection. We are united with our Bailiwick colleagues in our commitment to meeting the FATF Standards. And we continue to support the Bailiwick collective position, constantly prioritising the consideration and approval of the legislation needed to support it, that Moneyval requires.

620 The Economic Development Committee continues to explore opportunities for economic growth and collaboration with local businesses and businesses direct. Alderney already punches above its weight. The Gambling Commission being an obvious example in generating significant value to the Bailiwick.

625 We know, however, there is further untapped potential which would benefit not just Alderney, but the Bailiwick as a whole. Alderney is open for business, and we are working with all those involved to ensure we have the right infrastructure and legislation to support the established sectors, while attracting new businesses and individuals to the Island.

630 It will not surprise the Assembly to hear that the key priority for Alderney remains the necessary and overdue works to the Airport. Aurigny and Alderney Airport have been the lifeline cornerstone of connectivity for our Island community for *many* years. Although there have been fewer destinations through direct routes now that there once were, Southampton and Guernsey represent our *lifeline* that we depend on. And keeping these routes alive through the runway investment is more important than ever. The States was naturally disappointed about the outcome of the tender process of the project but continues to do all it can to support the project locally.

635 We are concerned that time is of the essence with the end-of-life runway. Work on the runway project must continue at speed and we are looking forward to a workable, future-proof solution as

soon as possible. This is particularly pertinent since the decision to reduce the PSO budget provision. We are of the opinion that savings to the PSO cannot be delivered until the runway rehabilitation is complete. And it is inappropriate to further impact our residents, businesses and visitors in this way.

On the subject of future proofing, the States of Alderney are working closely with Alderney Electricity on the implementation of a renewables strategy, in line with the recently agreed Energy Policy. The engagement with the general public on the renewable domestic energy initiatives for our Island was very encouraging and we anticipate real progress during 2025. Furthermore, we look to enhance Alderney's contribution to the Bailiwick's future prosperity. We have started work in close collaboration with Guernsey to examine options to develop marine renewable generation with our waters and use our assets to forge a sustainable future for the whole Bailiwick.

We recognise that capital investment is understandably a contentious subject in Guernsey, made more so by recent decisions within the Assembly. We are as invested in the delivery of the full capital portfolio as in Guernsey. We know, for example, that digital elements of the Transforming Education Programme will have tremendous benefits for our learners in St Anne's School, as will be the development of the Guernsey Institute.

The merits of these other well deserving projects do not, however, distract from the need for investment in Alderney Airport. And we are grateful to the States for their continued support. Really grateful. We do need to get on with these necessary improvements to Alderney's runway, and we hope there is no further challenges to the process, as this project is not only essential to Alderney, but will provide benefits for the Bailiwick as a whole.

Sir, I am most grateful for the opportunity to provide this update to the Assembly, and I welcome any questions.

Thank you, sir.

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

Deputy Taylor: Yes, please, sir.

The Bailiff: Thank you very much.

I am going to remind Members what it says in your Rules which is that following a Statement made on behalf of the States of Alderney, you can ask questions to Alderney Representative Roberts on any matter for which the States of Alderney has responsibility. In other words, it does not extend to any of the transferred services which are delivered by this Assembly in Alderney. But it is only in relation to what the States of Alderney takes responsibility for.

Questions? Deputy Falla.

Deputy Falla: Sir, I thank Alderney Representative Roberts for his update.

He referred to exploring alternative sources of revenue. I wonder if he could give us any examples of what those might be and whether there is, indeed, any low hanging fruit?

The Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: I thank Deputy Falla for his question.

Yes, we are looking to work closer with Guernsey Finance and we have also had a meeting with Jersey as well and we are trying to integrate the two, where Alderney can actually do something together. And it is very promising actually. Our Economic Development Committee is making big strides in the last year and they are constantly looking for new things that we can do. This amounts to a lot, and I cannot speak about a lot of them; it is really private for the time being but there are a few things in the pipeline that are very promising. What I am worried about is business confidence in Alderney with the unknown with our air services. And that is providing a big problem for business investment. They are scratching their head and thinking, is it worth it? Is it worth going to –?

690 But the Economic Development Committee are working *very* hard. I am a Member of that Committee, as Mr Snowden is the Chairman of that Committee. And it has been, possibly, one of the best Committees in Alderney.

Yes, thank you.

The Bailiff: Deputy Cameron.

695 **Deputy Cameron:** Thank you, sir. And I thank Alderney Representative for his update.

Given the financial constraints on public funding, has the States of Alderney engaged with its wealthier residents and businesses to contribute towards Alderney's Airport and runway replacement project, either through donations or public private partnerships?

700 Thank you.

The Bailiff: Alderney Representative Roberts.

705 **Alderney Representative Roberts:** That is not actually part of our responsibility. I have always thought that private money and private investment was a good thing, I think, in all aspects. At the moment, we are really up a cul-de-sac. You can replace our airline with private money, but is that airline going to be fit for purpose? Is it going to last? Is it going to be enough?

I know the amount of aircraft that you need for Alderney. I know because I worked up there all those years. I know you have to shift so many people at a certain time and do it properly. And I know that we have got two aircraft that are running and we need four, and it has never worked and I think Aurigny have done a marvellous job, doing what they have done with the two aircraft.

But as the cost of private money coming up, I really do not know. I could not say, I have not got anything concrete on the table. There has not been anything laid to the States or presented to the States as yet, We will just have to wait and see what happens.

715 But we are very proud of Aurigny. Aurigny was born in Alderney and back in 2003 when the States bought it –

The Bailiff: Alderney Representative Roberts, the time for replying has passed.
Deputy Brouard.

720 **Deputy Brouard:** Thank you, sir. And I thank Alderney Representative Roberts for his update and the challenges that he has in his beautiful Island.

With regard to airfares, is there any impediment, legal or otherwise, to stop the States of Alderney raising new funds to subsidise your airlinks?

725 **The Bailiff:** Alderney Representative Roberts.

Alderney Representative Roberts: I thank Deputy Brouard for his question.

730 Alderney does not have a lot of money, as we know, and I think we manage our books quite well. And for those sort of amounts, it might be very difficult, indeed.

In 2003, Chief Minister Laurie Morgan stood in this Chamber with the Assembly behind him. And that was when Aurigny was purchased. And he gave a solemn promise, with the backing of the Assembly, that Alderney would never have to worry about its airlink. 'Don't worry, we have bought it. But you will always be looked after.' And that was a solemn promise from Guernsey to Alderney. It has been eroded slowly, not fast, slowly, and the profit was far better in those days than what it is now. We cannot help it if we bought the wrong aircraft. We did not buy them. Alderney did not buy them, Aurigny bought them. And we have been made to pay the cost of a *very* expensive aircraft. And we have had to. It is our fault. We do not want to be a burden, we want to pay our way. It is the biggest thing in my heart, is to run and not at a deficit with you all.

The Bailiff: Alderney Representative Roberts, your time once again, has passed. Can you try and keep an eye on the clock whilst you are answering, please.

Deputy Trott.

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

Does Alderney Representative Roberts remember supporting the amendment seconded by Alderney Representative Snowdon which reads:

To direct the Policy & Resources Committee to seek to renegotiate the current Alderney public service obligation contract with Aurigny with a view to reducing the current level of subsidy payable under the contract by the States of Guernsey with effect from 1st January 2024.

750 And which was passed by 30 votes to six. Does he remember supporting that amendment which the Policy & Resources Committee has adhered to and has enacted on behalf of this Assembly?

Alderney Representative Roberts: However, it did not have £500,000 cut in it, did it? It did not have a £500,000 cut in it. That is my answer, sir.

755 **The Bailiff:** Deputy Queripel.

Deputy Queripel: Thank you, sir.

Can Alderney Representative Roberts tell me whether or not Alderney still have any involvement in the Fab Link, please?

760

Alderney Representative Roberts: No, we do not.

The Bailiff: I am sorry, I missed the question, Deputy Queripel. Just a minute. What was the question?

765

Deputy Queripel: The question was, sir. Does Alderney still have any involvement in the Fab Link?

The Bailiff: Okay, thank you very much.

770

Alderney Representative Roberts.

Alderney Representative Roberts: Actually, no, we do not have any dealings with it. It is designed to go past Alderney, I believe. We do have links with the wind power. We are discussing wind power at the moment and there is a solar farm that is going to be built in Alderney and we look forward to seeing that. I am not sure; I do not have a date for that but it is the coming future and I think that will help a lot, because the price of electricity is enormous. I meant to actually get the price of it and bring it down with me to mention it to you, because the cost of living in Alderney is very high; food is 27% more in Alderney, 27%! Oh.

775

780 **The Bailiff:** That is irrelevant –

Alderney Representative Roberts: And our wages are 10% lower.

The Bailiff: Alderney Representative Roberts, how is that relevant to the question you were asked? Can you concentrate on answering the questions that are asked.

785

Deputy St Pier.

Deputy St Pier: I am sorry, sir. I think all Members did not actually hear who you had called, so forgive me, sir.

790 Alderney Representative Roberts, in his Statement, referred to future proofing. He also referred to gambling revenues, to the integrated care model and, indeed, to the public services obligation (PSO) agreement over air services. All three of which, of course, have emerged since the 1948 inter-governmental agreement between Alderney and Guernsey.

795 Does Alderney Representative Roberts agree with me, or perhaps more importantly, does the States of Alderney agree that in order to future proof Alderney's relationship with Guernsey, the 1948 Agreement does urgently require review? Particularly with reference to some of the services and some of the items which he referenced in his Statement.

The Bailiff: Alderney Representative Roberts.

800 **Alderney Representative Roberts:** I thank Deputy St Pier for his question and I applaud it because, yes, it will have to be renegotiated. We are not frightened of that but we are going to have to employ the services of the Ministry of Justice to actually be with us, to sit and decide that everything is done above ground and fairly for the smaller Island. Because we are the smaller Island, much smaller. And contact has been made to them. We do not like doing that. I hate that. It saddens me that we have to do that, because I regard you ... I have been here six years now. I regard you all as friends, *friends*. Not just work colleagues, friends.

Deputy Trott: Point of correction, sir.

The Bailiff: You cannot have a point of correction.

Deputy Trott: Oh, you are right, I cannot. I will weave it in later.

815 **The Bailiff:** In relation to your question, please continue, Alderney Representative Roberts. Have you finished answering? Okay.

Deputy Inder.

820 **Deputy Inder:** Alderney has attracted some outstanding investors. Almost certainly. We have seen some great changes in the high streets, especially in the hospitality and (**A Member:** Hear, hear.) some of the buildings that have been popping up around the Island.

However, would Alderney Representative Roberts agree, there are far too many economically inactive residents retiring in Alderney? Far too many! (**A Member:** Hear, hear.) And if so, would you also agree that the adoption of a Guernsey Population Management Law, or similar, to reduce that stream of economically inactive, would assist the relationship between the Islands?

The Bailiff: Alderney Representative Roberts.

830 **Alderney Representative Roberts:** Well, I totally agree with that. And my good friend, Deputy Inder is absolutely correct. This is why we need, in these Islands, a compulsory healthcare. We really do need it – and not just Alderney needs it, I think both Islands are going to need it.

The Bailiff: Deputy Oliver.

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

It was a speech that Deputy Brouard actually did and I think it was regarding your runway. One of the conditions that he said to vote for the runway, was that Alderney would take care and try and get control of their health. And one of the big things with the health was wearing seat belts, having to wear crash helmets. How are you getting on with that legislation, because you said you would take that on board two years ago?

The Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: That is a very good question actually, a very good question.

845 We have got a new police sergeant in Alderney and he is working on that at the moment. And looking at it. I know it has been a long time and I know Deputy Brouard has been a champion of this over the years and he has told me off many times. But no, we really are working on that and I think it is a good thing, really.

I know we have only got 35 miles an hour limit which not many people even go at but you are right. It could save a life. We do not get many accidents in Alderney, but it could save a life, you are right.

The Bailiff: Deputy de Lisle.

855 **Deputy de Lisle:** Sir, sea connectivity to Alderney appears very limited, vis-a-vis what you see, the tourists going to Sark and Herm by sea from Guernsey, with tens of people, perhaps hundreds, travelling on one vessel.

Cannot the surplus in the Budget be invested in providing a sustainable sea connectivity service between Alderney and Guernsey, with comparable seating arrangements and the comparable volume of numbers of people directed to Alderney from Guernsey to enhance the tourist possibilities in Alderney?

Thank you.

The Bailiff: Alderney Representative Roberts.

865

Alderney Representative Roberts: I thank Deputy de Lisle for his question.

Yes, it is a good boat service. It is very good for Alderney but it is only complimentary to our air travel. Air travel has always been our main mode of transport.

Now we have got we have got a 12-seater boat, as you know. It has done a sterling job: when there is been fog, they have stepped in and they have done charter after charter. Aurigny has chartered them. But they bought a new boat and it is a 25-seater or something like that but they can only still carry 12.

So it is not being used, that boat at the moment, because it is not cost effective, because it costs more to run; it burns more diesel. So until they get the legislation where they can actually carry the 24-25 which is what we are waiting for, we will not have it. But it is a great complement to have, a boat as well.

But having said that, in the summertime, when we had the 12-seater, 25% of the sailings were cancelled because of weather. Now that is in the summertime. Can you imagine the number of cancellations in the wintertime? This is the problem. Alderney needs a robust and good air service. We are reliant on it and it has been hived down to nothing.

The Bailiff: The time for replying is up.
Deputy Le Tocq.

885 **Deputy Le Tocq:** Thank you, sir.

I thank Alderney Representative Roberts for his update. I want to just concentrate on some comments that he made during the update and afterwards in responses to two questions, particularly Deputy St Pier's questions.

Would he agree with me that, bearing in mind that connectivity, whether by sea or by air, is vitally more important, perhaps, now than it was ever before? That it is perhaps time to come to the table with Guernsey and renegotiate the 1948 Agreement, so that investment can be put in the right sorts of things for this time? Maybe Alderney could take on board more responsibility for health or education, for example.

The Bailiff: Alderney Representative Roberts.

895

Alderney Representative Roberts: Yes, I would like to take on more responsibility for health and education. But you have got to remember, Deputy le Tocq, we pay our taxes and it is a transferred service. And you keep taking a shovel out of the barrow and keep taking another shovel and say, 'Well, you can only have half a barrow now or you can only have a quarter of a barrow.'

900

Hang on. You do have our taxes. We are still paying our taxes. We are still paying our taxes to that. And, yes, I do agree about the 1948 Agreement but we will only do it with the Ministry of Justice when we have spoken with them, because Alderney has already contacted them because they are very worried about the new fare increases. But we will only do it with those people present. An agreement is between two people, not one; it is between two.

905

Thank you.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir.

910

I thank Alderney Representative Roberts for the Statement today and I pick up on the terms of supporting and fostering Economic Development and parts there.

I am aware that, for different reasons, Marciel, the carrier, was supported by both our neighbouring Islands, Jersey and Guernsey, and a little bit from Sark. For different reasons, you may not have been involved in that.

915

But my question is that, because of the links and the difficulties with the links, have you considered an approach with Marciel, for that additional service and ability to use them?

The Bailiff: Alderney Representative Roberts.

920

Alderney Representative Roberts: We are supporting Alderney Ferry Services at the moment and they have done a sterling job, they really have. And in times of bad weather, they have come in and when they have had too many passengers at the Airport two aircraft cannot shift them, especially if you have only got one, or they have got no crew, and they have stepped in and they have been absolutely fantastic. I cannot praise them enough and that is what we are supporting at the moment. But we have not contacted them.

925

The Bailiff: Deputy Gollop.

Deputy Gollop: We mentioned the boats. I get sick on the boats, but I know Alderney does fund sea service.

930

But my question is that we had the good news of the £400,000 surplus from the revenue that Alderney raises and, bearing in mind they will have a new team of States' Members soon as well, could the priority for Alderney be to find further efficiencies with staff and other savings? And also look to utilise some of that money to help perhaps subsidise transport or other links?

935

The Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Yes, I thank Deputy Gollop for that question.

We are looking at efficiencies at this very moment in time of what we can save. And that is the main thing; it is the same thing when it comes down to Guernsey. You want efficiencies and, 'Don't worry, you don't need that tax. You don't need that. Just get rid of your civil servants.' You cannot. People do not realise the value of those people.

940

And so that is an efficiency we would find it difficult to go into. We can look at other things like manpower, I do not know, various things that we do. But when it comes to cuts these people are really worth their weight, I will not say in gold ... I know they are well paid. But even if you do that,

945

you do not save nearly enough for what we are short of. You do not save nearly enough. It is a pointless exercise. You can take a few corners off, but in my view, no. But we are *always* looking for efficiencies. Always. We are driven by it.

950 **The Bailiff:** Well, the 20 minutes for questions to Alderney Representative Roberts is up. What I will do is I will extend it for no more than 10 minutes.
Deputy Trott.

955 **Deputy Trott:** Thank you, sir.
Would Alderney Representative Roberts agree with me that his remarks this morning that, 'All in this Assembly are his friends', is inconsistent with incendiary comments in the media and in emails where he has referred to Members of the Policy & Resources Committee as being enemies of his Island?

960 **The Bailiff:** Alderney Representative Roberts.

965 **Alderney Representative Roberts:** Well, I am sorry to hear that comment here. You might be political enemies but I leave my sword at the door, sir. Always. And you know that and I have met and we chatted about various things and I leave my sword at the door.
You are not my enemy. You might have political differences, if you would like me to rephrase that. (**Deputy Trott:** Then why say it?) Okay, I am saying it now. Okay. We have our political differences. And if for that fact, and I will apologise for that. Okay, I do not mind doing that. Yes.
I do regard you as my friends. I might not be here after Christmas. This might be my last at the end of my six years. We are coming up for elections, we have had two poll toppers, and the one thing that I will miss, above all, is all of you. All of you. That will make me sad.

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

975 **Deputy Kazantseva-Miller:** Sir, I am a little bit confused about what is actually happening in relation to the renegotiation of the 1948 Agreement, because my understanding is that through the Government Work Plan, that is supposed to be one of the workstreams. And there has been a bit of ping pong between P&R and Alderney, pointing fingers at each other.
In relation to Alderney, could the Alderney Representative outline what Alderney has done to engage with this process? Because they have also mentioned now engaging with Ministry of Justice. What have they done? Has there been a working group set up to progress this negotiation? What has Alderney done to engage with that process? Could the Alderney Representative outline that, please?

985 **The Bailiff:** Alderney Representative Roberts.

990 **Alderney Representative Roberts:** Yes, that is handled by the Alderney Liaison Group. And I believe, I do not know that there is the next meeting, but I believe we are waiting for P&R. I am not sure why; I will be informed or not about that fact. But that is handled by the Alderney Liaison Group. That is when it will come to a head. Yes.

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

995 **Deputy Le Tissier:** Thank you, sir.
And I would like to thank Alderney Representative Roberts for his update.
I notice that the Dornier used by Aurigny has the capability to land on unpaved gravel and grass. So would a solution to the runway be to make it unpaved gravel or grass?
Thank you.

The Bailiff: Alderney Rep –

1000 **Alderney Representative Roberts:** Yes, sir.

The Bailiff: Alderney Representative Roberts, can you please wait until you are called. Alderney Representative Roberts. Please reply.

1005 **Alderney Representative Roberts:** Yes, indeed.

The Dornier can land on grass, actually. But since they bought the Dornier, they have never allowed it, Aurigny has never allowed it to land on the grass at all. It has been a company policy not to land it on grass. And they, obviously, know something that I do not. I do not have that technical knowledge but I do know that they *can* land on the grass.

1010 I know they are very expensive and a Twin Otter would probably be much better because we could get them in on the grass easily, but we do not have Twin Otters, we have got Dorniers. And they were thrust on us, sir, and now we are paying the price.

Thank you.

1015 **The Bailiff:** Deputy Oliver.

Deputy Oliver: Thank you, sir.

Alderney Representative Roberts, you mentioned that Alderney bought a boat for 24 passengers but can only travel with 12. Is this because of the small commercial vessel code where Guernsey has so many restrictions on vessels with over 12 people?

The Bailiff: Alderney Representative Roberts.

1025 **Alderney Representative Roberts:** Yes, it is, indeed. And there is a five-mile rule as well. If you go any further than five miles, there is more legislation on that. It is just a safety factor, really. They are trying to get their crew in order but there are all sorts of rumours with that boat at the moment.

The Bailiff: Deputy Gollop.

1030 **Deputy Gollop:** Thank you again, sir.

I know Deputy Kazantseva-Miller and Deputy St Pier have already referred to the 1948 Agreement and dialogue with Alderney, which of course, Policy & Resources are very keen to look at.

1035 But my question is perhaps a more neutral one. Would it not be a good idea if, not just our esteemed Representatives from Alderney, but all of the States of Alderney, elected to have constructive dialogue with the States of Guernsey, not just Policy & Resources, on the way forward that we can work together and both get most of what we want. Can that not be a message that we can give to Alderney at this time of transition?

1040 **The Bailiff:** Alderney Representative Roberts.

1045 **Alderney Representative Roberts:** I would really welcome that, to be honest. I would *really* welcome where we could thrash it all out – aircraft types, everything, go right the way through it. Find out what has gone wrong with our airlinks. Our airlinks between the Islands used to be brilliant. You could whip off to Jersey. They went like buses at one time. With a cheaper aircraft, a more affordable aircraft, you could do that again, you could bring the prices down and that is what we want to do and that is what we have to do if we want to bring people to the Island.

Yes, I totally agree with you and I would welcome that.

1050 **The Bailiff:** Last question, Deputy Burford.

Deputy Burford: Thank you, sir.

Two years ago, Deputy Roberts and his fellow Alderney Representative, Deputy Snowdon, voted, in fact, spoke and voted against an amendment that I brought, seconded by Deputy Soulsby, to investigate the possibility of reuniting all the inter-Island routes in the Channel Islands, and possibly with a larger fleet such as Twin Otters. Does he now wish that he had voted for the amendment, sir?

The Bailiff: Alderney Representative Roberts.

1060 **Alderney Representative Roberts:** I would, indeed. Yes, I would indeed. My mind has been changed. It is okay to change your mind.

Thank you.

1065 **The Bailiff:** I think that is going to conclude questions to Alderney Representative Roberts, on behalf of matters for which the States of Alderney has responsibility.

Questions for Oral Answer

COMMITTEE FOR ENVIRONMENT & INFRASTRUCTURE

Bus services –

Passenger user trends, service cuts and fare increases

The Bailiff: We will now move into Question Time proper, with one set of questions being asked by Deputy Gollop to the President of the Committee for Environment & Infrastructure. Your first question, please, Deputy Gollop.

1070

Deputy Gollop: Yes, somebody reminded me of my duty to declare any political or special interest. And I am a bus user and a pass holder or whatever they are. But more significantly, I have been a member of the Bus Users Group and from time-to-time attend their meetings and AGMs. Although, I know Environment & Infrastructure people are banned. And I am certainly not here as a Member of P&R, but more as an individual scrutineer.

1075

My first question is, are the passenger usage trends for 2024 of the Island's scheduled bus services increasing and continuing to grow, thus raising further revenue and delivering additional connectivity and environmental and socio-economic goals and justifying our significant public investment?

1080

The Bailiff: The President, Deputy de Sausmarez, to reply please.

Deputy de Sausmarez: Thank you, sir.

Yes. Overall passenger numbers are increasing, now approaching pre-pandemic levels and revenue is also on a positive trend with income currently projected to be £300,000 higher by 2024 when compared with 2023.

1085

The Bailiff: Is this a supplementary, Deputy Gollop?

1090 **Deputy Gollop:** My supplementary would be, then, with the income projected to rise, that would indicate that greater efficiencies can be done, both by the current operator and, hopefully, the future operator.

The Bailiff: Deputy de Sausmarez.

1095

Deputy de Sausmarez: I do not know if it was just me, but I did not catch a question in that.

The Bailiff: Deputy Gollop, do you want to repeat your supplementary, please?

1100

Deputy Gollop: Sorry. Perhaps it did go slightly beyond the answer in any case. But I was saying, given the positive trend of revenue, will that lead to maybe additional marketing campaigns, but also efficiencies?

The Bailiff: Deputy de Sausmarez.

1105

Deputy de Sausmarez: We are always looking for efficiencies. So yes, it is just business as usual. It is trying to incrementally and continually improve the service in terms of its efficiency and maintain and improve the level of service.

1110

The Bailiff: Supplementary, Deputy Dyke.

Deputy Dyke: Thank you, sir.

Deputy de Sausmarez mentioned looking for efficiencies. Is her department looking for efficiencies in the buses themselves in terms of making them last longer, or are there still proposals to bring forward electric buses? I did notice a line item in the Budget for £13 million for vehicles. I do not know how much of that was for buses?

1115

The Bailiff: Okay. It does not arise out of the answer given to the original question. Deputy Gabriel.

1120

Deputy Gabriel: Would the President agree with me that the new operator, in terms of efficiencies, uses a system called Green Roads, which is designed to help the passenger and also provide fuel efficiencies on the roads?

1125

The Bailiff: Okay, it does not arise out of the answer given to the original question. You have to always go back to the original answer, not to what is a bit of creep, thereafter.

Deputy de Lisle, do you want to try a supplementary?

Deputy de Lisle: Yes, sir, a supplementary.

1130

In terms of revenue, what passenger receipts are recovered currently from passenger fares as a proportion of the total cost to the taxpayer of the bus service?

The Bailiff: Deputy de Sausmarez.

1135

Deputy de Sausmarez: I am afraid I do not have that information to hand, but I will endeavour to get it to Deputy de Lisle within the permitted time period.

The Bailiff: Thank you very much.

Your second question, Deputy Gollop.

1140

Deputy Gollop: Given the States of Jersey Council of Ministers have chosen to renew their Tower Transit, formerly CT Plus, contract, will a good working relationship between the two Bailiwick bus companies be established at some level to achieve goals and synergies, if possible?

1145 **The Bailiff:** The President to reply, please, Deputy de Sausmarez.

Deputy de Sausmarez: Yes, at an operational level, we have a close working relationship with counterparts in Jersey and we work collaboratively whenever it makes sense to do so. That relationship will no doubt ensure that synergies can continue to be achieved where possible, even after the change in operator in Guernsey next year.

1150

The Bailiff: Is there a supplementary, Deputy Gollop?

Deputy Gollop: Yes. One synergy, I think, in the past was the mutual use of recruitment for drivers and things like that. Hopefully that portal will continue?

1155

The Bailiff: Is that a question that you want the President to respond to? Alright. Your third question then please, Deputy Gollop.

Deputy Gollop: Would the President in the Environment & Infrastructure Committee agree with me that the continued high usage of the bus service, despite significant fare increases, helps to achieve social equality, tourism strength, employee commuter transport and ecological objectives? Including reduction of congestion which might be threatened by service cuts and of route withdrawals and extra fare increases?

1160

The Bailiff: The President, Deputy de Sausmarez, to reply, please.

1165

Deputy de Sausmarez: Yes, as Deputy Gollop knows, this is a vital public service that supports multiple economic, social and environmental objectives. And maintaining a good level of service and continued affordability through a cost-of-living crisis is, therefore, critical.

1170

The Bailiff: Supplementary, Deputy de Lisle.

Deputy de Lisle: Yes, sir, please.

1175 The question relates to high usage of the bus service. But am I not right, sir, that this usage has significantly decreased since before the pandemic?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I answered that question which I do not believe arises out of this answer, but I did answer that in my answer to question one which is that, I will happily repeat it, yes, of course, the pandemic had a very significant impact on bus usership and bus passenger numbers, but because we have seen, since that, very significant impact, continued increases in passenger numbers, we are now approaching those pre-pandemic levels again.

1180

The Bailiff: Your fourth question to the President, please, Deputy Gollop.

1185

Deputy Gollop: Thank you, sir.

1190 Will the Committee commit to consultation with the public stakeholders, charities and the Bus Users Group (BUG), in exploring new services with the successful tenderer of Stagecoach, who will, hopefully, increase services and routes over time?

The Bailiff: Deputy de Sausmarez to reply, please.

1195 **Deputy de Sausmarez:** Yes, the Committee and the current operator already engage with members of the public and stakeholder groups, such as the Bus Users Group, with whom a meeting was held recently, and we can commit to ensuring that such engagement with the new operator continues.

1200 **The Bailiff:** Supplementary, Deputy Gollop.

Deputy Gollop: Yes. Thanks for the confirmation of consultation, but I hope that would also extend to media publication that used to be formerly in the news part of *the Press* and the *Gazette Officielle* so that service users of all kinds, not just BUG members, are aware of any proposed changes.

The Bailiff: Deputy de Sausmarez, do you wish to reply to that?

1210 **Deputy de Sausmarez:** I am struggling again to find the question in there. But I think it was probably about, will schedules be published publicly and the answer is, yes.

The Bailiff: And your fifth and final question, then, Deputy Gollop.

1215 **Deputy Gollop:** Yes.
Will Traffic and Highways and the overseeing Committee restrict bus route diversions which, from time-to-time, cut off hospitals, places of work, community roads and areas, and reduce the attractiveness of the service by increasing costs which are not inclusive for the needy bus user and travelling public, including schoolchildren, disabled people and senior citizen pensioners?

1220 **The Bailiff:** Deputy de Sausmarez to reply, please.

Deputy de Sausmarez: Thank you.
Yes, the Committee recognises the importance of a regular and reliable bus service for its users. It also recognises the need to upgrade and undertake often essential or emergency works on our public highway. Balancing these needs can be challenging, but access to essential services and businesses will be maintained wherever possible.

We are grateful for the work undertaken by CT Plus in managing the increased number of diversions experienced, whilst the strategically important infrastructure upgrades are made, including the rollout of fibre and Guernsey Electricity's essential network improvements.

1230 Traffic diversions are managed in accordance with the policy published at gov.gg/roadworks and the Committee is always happy to consider suggestions to improve that policy.

The Bailiff: Supplementary, Deputy Gollop.

1235 **Deputy Gollop:** I was pleased to see a contraflow, but I would ask that such traffic diversions that are in accordance with the policy, and the Committee is happy to consider suggestions to improve that policy ... will they consider that, in recent times, diversions have become more extensive and are less likely to use secondary routes that are now considered unsafe for public transport but used to be considered safe as diversionary routes? Will they consider using such routes which do not disadvantage the travelling public as much as the current diversions often do?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: The diversion routes are, indeed, considered on exactly that basis.

1245 **The Bailiff:** Supplementary, Deputy de Lisle.

Deputy de Lisle: Yes, sir.

1250 Diversions and punctuality are certainly having an effect on the community and the public. Can the President indicate what punctuality data is collected and what passenger satisfaction data is collected, currently?

The Bailiff: Deputy de Sausmarez.

1255 **Deputy de Sausmarez:** I do not know the answer to that question, so I will endeavour to get back to Deputy de Lisle within five days. But in terms of the premise of his question, I would reiterate that, of course, passenger numbers are, indeed, growing. It is not that there is a negative impact that is being reflected in those passenger numbers. Passenger numbers have continued to grow year-on-year, notwithstanding the very significant impact experienced by bus services everywhere because of the pandemic.

1260 **The Bailiff:** Second supplementary, Deputy de Lisle.

Deputy de Lisle: As a second supplementary, sir, I was talking about public satisfaction and, indeed, punctuality.

1265 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Yes, and that is what I assured Deputy de Lisle I would get back to him on. So I will do exactly that.

1270 **The Bailiff:** Deputy Haskins. Supplementary.

Deputy Haskins: Thank you, sir.

1275 Would the Committee accept the suggestion to inform schools when there is a road closure directly affecting them?

Thank you.

The Bailiff: Deputy de Sausmarez.

1280 **Deputy de Sausmarez:** Absolutely. I think that already takes place. And certainly, as a parent, I get very regular updates on the diversions that are going to affect the children, the buses that my children get. I will make sure that, absolutely, that is happening across the board, and it is not just my children's school which is getting that special, but very helpful information.

1285 **The Bailiff:** I do not see anyone else rising to ask a supplementary question, that will conclude Rule 11 Question Time.

Deputy Meerveld, is it your wish to be relevéed?

Deputy Meerveld: Yes, please, sir.

1290 **The Bailiff:** Thank you very much. Well, I mark you as present.

Alderney Representative Snowdon. Have you now received a copy of the answer to the question under Rule 12 that you wanted to ask?

1295 **Alderney Representative Snowdon:** I would still like to ask the Rule 12 question, if that is alright.

The Bailiff: But have you received the answer?

Alderney Representative Snowden: I have not received the answer, no, sir.

1300

The Bailiff: Okay. I think it is important that you see what is going to be said before you ask the question, not knowing what the answer is going to be. What I will do is I will switch around the two Rule 12 questions that I have permitted.

COMMITTEE FOR ECONOMIC DEVELOPMENT

Ferry tender process – DFDS bid

1305

The Bailiff: I invite Deputy St Pier to ask his question of the President of the Committee *for* Economic Development.

1310

Deputy St Pier: Thank you, sir, and thank you for giving permission for the question. My thanks also to Deputy Inder for his engagement over the last couple of days leading up to the question and providing advance copy of the response.

The question, sir, is with regard to the ferry tender process, Deputy Inder has stated within the last seven days that the DFDS bid was disqualified from the process and could not be appointed as preferred bidder. In a media release dated yesterday, 19th November, the Committee *for* Economic Development further stated that DFDS's bid received a 'legal fail'.

1315

On what grounds did DFDS's bid fail to qualify?

The Bailiff: I will invite Deputy Inder as the President of the Committee to reply please.

1320

Deputy Inder: I thank Deputy St Pier for the question and you, sir, for allowing it to be submitted. Legal evaluators in both Islands worked together, as all the evaluators did in the tender process. The legal evaluators failed the DFDS bid in respect of the legal evaluation, because the proposed contractual arrangements put forward for the final evaluation provided a significantly worse contractual position and risk transfer to the Channel Islands governments than we specified within the procurement documents.

1325

These risks included that the bidder significantly excluded and limited its liability prior to the commencement date in respect of risks under the bidder's control. The bidder also introduced a number of commercial levers – in fact, derogations – in the event that its profit requirements were not achieved.

1330

These levers included introducing a unilateral right for the operator to (1) adjust freight and passenger pricing; (2) adjust the sailing schedule, and (3) adjust the minimum service requirements.

The Bailiff: Supplementary question, Deputy St Pier.

Deputy St Pier: Yes, sir. I have two supplementaries.

1335

The first of which is, Deputy Morrel stated in yesterday's Scrutiny hearing in Jersey that he did not, and still does not, apparently understand the reason for the legal fail that resulted in the elimination of one of the bidders, DFDS, from the joint tender process.

Can Deputy Inder explain why there seems to be such a divergence in understanding between Guernsey and Jersey from what was a common process?

1340

Deputy Inder: Without sounding in any way facetious, I simply cannot get into the mind of Deputy Morrel. (**A Member:** Hear, hear.) But what I do know, sir, is under our system of governance, we have a full Committee process. And just to do a bit of timelines on, I think it was on 10th October, I ensured that my Committee, who had not been part of this process, had effectively a preliminary meeting.

On the 13th, I think it was, the Monday of that week – it might have been the 14th – I received an email shared with me by our senior officer and it read from their senior officer:

We, Jersey, are now on course for a Council of Ministers meeting on Monday of next week and for the sponsoring Committee to have determined an outcome by Thursday and Friday of this week, so as to sponsor that Council of Ministers discussion.

I genuinely do not know why, number one, Deputy Morrel claimed that Guernsey went first when we had clear information from Jersey that they were sitting effectively on the same day as us. And to answer Deputy St Pier's question directly, they should have had the same advice as us. I sat, or our Committee sat with commercial lawyers –

The Bailiff: Deputy Inder, the time for replying is up.
Second supplementary, Deputy St Pier.

Deputy St Pier: Sorry, I cannot help feeling that Deputy Inder has left us on a cliff-hanger. (*Laughter*) I will leave other Members to ask suitable supplementaries that enable him to give a response to that, to complete his response.

But my second supplementary is in light of the response given in relation to commercial leavers, can the President scotch the rumours that the successful bidder will be reliant upon public subsidy to sustain the agreed contract?

The Bailiff: Deputy Inder.

Deputy Inder: I can scotch those rumours. And in fact, I would welcome a full Scrutiny panel review (**A Member:** Hear, hear.) where *this* Committee can go through line-by-line, document by document, email by email, phone call and phone call and actually lay out for the public of this Island, and if Jersey is listening, what we went through over those nine months.

Thank you.

The Bailiff: Deputy Roffey, supplementary.

Deputy Roffey: Just for the sake of clarity, can I ask the President to confirm what I understood him to say in his answer to the original question which was that DFDS sought an exclusive use of our RoRo ramps for a period of 15 years on the basis of a level of service which they then reserve the right to change at any time if they were not making enough money, but would still retain the exclusive use of those ramps, because that is a fairly extraordinary situation?

The Bailiff: Deputy Inder.

Deputy Inder: They did not specifically say that, but in effect, that is what they were saying. And I will go through those derogations again: adjust freight and passenger pricing, unilaterally; adjust the sailing schedule, unilaterally; adjust the minimum service requirements, unilaterally. And two more: postpone any investment in fleet by 12 months and extend the term by a further 12 months.

The Bailiff: Deputy Helyar.

1390 **Deputy Helyar:** Sir, would the President confirm that the DFDS bid fail was not a technicality, as recently described by Deputy Morrel in Jersey, but was rather a material and significant barrier to the provision of adequate ferry services by DFDS?

The Bailiff: Deputy Inder.

1395 **Deputy Inder:** I can confirm that. What I do know, and I wanted to, and it helps finish off the answer I did not give to Deputy St Pier ... that this Committee sat in full session with five of its Members, two of its NSMs; it had advice from its contract lawyers, its procurement lawyers, its Crown Officers and its SROs; and to this day, I simply do not know if Jersey's system of government has actually done that.

1400 **The Bailiff:** Deputy Fairclough.

Deputy Fairclough: Thank you, sir.

And the question I was going to ask was also to give Deputy Inder the opportunity to complete his answer to Deputy St Pier's first supplementary.

1405 But the question I was going to ask, which he may have been coming on to addressing, was who exactly the legal evaluators were in both Islands, because there does seem to be a lack of clarity over that, certainly following and during the Scrutiny hearing in Jersey yesterday?

The Bailiff: I do not think that Deputy Inder can answer a question about what has happened in Jersey. He can answer a question about what has happened in Guernsey.
Deputy Inder.

Deputy Inder: What I can say, and without bringing names into it, is that we had procurement teams, contract specialists and legal and they were matched in both Guernsey and Jersey and they were effectively working in pairs through the evaluation period.

The Bailiff: Deputy Ferbrache.

1420 **Deputy Ferbrache:** [*Inaudible*] ... sometimes read a contract. Is Deputy Inder effectively saying to the Assembly, and if so, I think it shocks me as much as it shocks Deputy Roffey, that the failed bidder was saying it could change all the material terms at a whim and impose its own conditions?

The Bailiff: Deputy Inder.

1425 **Deputy Inder:** That is exactly what I am saying.

And just so we are clear, the Brittany Ferries bid was contractualised, so all the risk was in the Brittany Ferries contractualised bid. All the risk transfer from the DFDS bid was straight onto the people of what would have been the whole of the Channel Islands.

1430 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

1435 Again, this stems from the answer that Deputy Inder has given us which I think has been very helpful, but also relates to some of the information that came out of the Scrutiny hearing in Jersey yesterday.

I wonder whether Deputy Inder would be able to confirm that the legal input that has been part of this process has been specifically commercial legal? There has been specifically commercial legal expertise from the Guernsey side at least? I am sure he will not be able to speak to the Jersey side.

1440 **Deputy Inder:** Absolutely. Crown officers, professionalised procurement and contract lawyers. I can confirm that.

The Bailiff: Deputy Taylor.

1445 **Deputy Taylor:** Thank you, sir. I hope Deputy Inder will be able to answer this.
I accept that the clauses or get out clauses put forward from DFDS were wholly unacceptable, but does Deputy Inder know if those same get out clauses were seeking to be applied in the Jersey context as well, or were they facing a different situation?

1450 **The Bailiff:** Deputy Inder.

Deputy Inder: Thank you, now I have been called.

1455 No, this was a pan-Channel Island ITT process of which both Islands had agreed the ITT document itself. Had we gone for the pan-Channel Island process, we would have started it on the same day, ended it on the same day which had been 15 years. And all of the contractual considerations to whoever who would have got the bid would have been applied to both Islands.

The Bailiff: Deputy Gollop.

1460 **Deputy Gollop:** Yes, in relation to the last question, Deputy Morrel regularly said that it was a technical issue, almost of the legal issue, but clearly what we have heard today is anything but.

Would the President not agree that perhaps a difficulty with this process, possibly on both sides, has been whether it has been an officer advisory-led process or a political process with political objectives? Because from my perspective, it seems to be a mixture of both.

1465 **The Bailiff:** Deputy Inder.

Deputy Inder: I think I have over the 10- or 11-month period actually built quite a good rapport with Deputy Morrel and what we both certainly agreed is that neither of us, as individuals, wanted to interfere in any way in the project. We really wanted to leave the evaluation teams and the moderators to get on with it themselves.

1470 There has been certainly, from my point of view, absolutely – my point of view and my Members – I can confirm there has been no political interference at all at a political level. I would like to think, and I tend to act in good faith, I do not believe that I have seen direct political interference by Deputy Morrel in his process. But I do not sit on the same chair as he does over there. All I can confirm, there has been no political interference whatsoever in the ITT process from the Guernsey side.

The Bailiff: Deputy Brouard.

1480 **Deputy Brouard:** Thank you, sir.

I was just wondering if Deputy Inder could just make a comment on the tender process. Does DFDS have its own ships available to fulfil the tender if it had been successful?

1485 **The Bailiff:** It does not really arise out of the (**Deputy Inder:** It doesn't, sir.) answer to the original question.

Deputy Inder: Okay, thank you.

1490 **The Bailiff:** I will disallow that one as a supplementary.
Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

I would like to thank the President for his answers. As part of the answer given to the Rule 12, he mentioned the commercial levers and DFDS have a unilateral right to do certain things, and I think he expanded on that verbally.

Can he give some assurance that Brittany or Condor, whichever, do they have any ability to adjust freight and passenger pricing or the sailing schedules or the minimum service requirements without our agreement?

Thank you.

The Bailiff: Deputy Inder.

Deputy Inder: There is flex in everything and there has to be some flex in contracts for things like changes in prices and fuels and labour markets alike. But that is fairly standard practice. What they do not have is a unilateral derogation to change the schedules, change the passenger pricing, or adjust the minimum service requirement, which is what DFDS was effectively offering – or I would not say offering – as it was basically as part of their derogations.

The Bailiff: Deputy Fairclough, second supplementary.

Deputy Fairclough: Thank you, sir.

Just for the purposes of clarity, could the President confirm that the assessment of the legal evaluators referred to in the original answer was checked and endorsed by the senior responsible officers in both Islands?

The Bailiff: Deputy Inder.

Deputy Inder: They were checked and endorsed by the legal teams, the procurement teams, the contract teams and the senior responsible officer. They were all agreed by the Guernsey and Jersey ITT teams. This was not a decision by the politicians. Both sets of that information would have gone both to the Guernsey and Jersey politicians. So yes, I can confirm that. And while it is a Member of Scrutiny Committee asking the questions, I do encourage him in Deputy Burford's absence to get me in front of a Scrutiny Committee because I want to timeline absolutely everything.

Thank you.

The Bailiff: Deputy Le Tocq.

Deputy Le Tocq: Thank you, sir.

Would the President agree with me that during a period of at least two weeks, attempts were made on several occasions to meet with Jersey and to try to come to some agreed joint position?

Deputy Inder: Yes, I can agree with that. But I think and I am grateful for, I think it was Deputy Le Tocq, Deputy Trott and Deputy Gorst and Deputy Farnham. They were keen to understand because they have got a slightly different system of governance, as I explained previously ... It appears that Deputy Morrel was going to take his decision to his Council of Ministers and there was certainly interest from the Council of Ministers – well, I would not say it was the whole of Council of Ministers, it was the two named Deputies. And it is true, we had two sessions on that over a week-and-a-half period, where it was stated what our decision had been and when we were going to release it as well, which I think has been denied in Jersey also.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, sir.

1545 In Deputy Inder's response, he mentions a worsening contractual position and a risk transfer to the Channel Islands Governments, and I understand that there are contingency measures in place between both Governments. I would like to know if they are still in place and when they cease, and what any risk transfer in the future or contingency arrangements are going to be?

Thank you.

1550 **The Bailiff:** Deputy Inder.

Deputy Inder: I think Deputy Gabriel has merged two issues there, but I will try and extract them out. The contingency plans have been in place since, I believe, it was January of this year. They are running at a certain run rate, and they will be finishing at the end of December, or certainly, the Guernsey version part of it will be. Guernsey will not be entering into a further contingency role with DFDS once we have signed off the contract and basically announced the schedule and such like.

I hope that helps.

The Bailiff: Deputy Roffey, second supplementary.

Deputy Roffey: I am not 100% sure this arises out of the answer to the first one, but I will give it a go.

If Jersey end up contracting with Brittany Ferries for Condor to provide their service, are we going to have two totally separate bespoke services to the two Islands, or would in those circumstances, Condor revert to an integrated service?

The Bailiff: It does not arise out of the original answer, so that is disallowed.

Deputy Inder: I am prepared to answer it, sir, if it helps.

The Bailiff: It does not matter, Deputy Inder.
Deputy Parkinson.

Deputy Parkinson: Sir, is the President satisfied that a Guernsey-only ferry service would be viable?

The Bailiff: Deputy Inder.

Deputy Inder: Yes, sir, I am.
Thank you.

The Bailiff: Deputy Helyar, second supplementary.

Deputy Helyar: Thank you, sir.

Given the answer given previously, I was involved in some of the conversations as Treasury lead prior to this process commencing. Given the interaction between the two Islands, would the President agree with me that the Jersey authorities' – and I am very careful to choose my words there – the Jersey *authorities'* approach to this process has been to see an outcome of anyone but Condor, at whatever the consequences?

The Bailiff: It does not really arise out of the answer given to the original question which was, if I just remind members, the question that Deputy St Pier asked was, 'On what grounds did DFDS's bid fail to qualify?' The answer was concentrating on the bid of DFDS and why it failed to qualify. You have had your second supplementary, Deputy Helyar.

Deputy de Lisle.

Deputy de Lisle: Supplementary, sir.

In the new contract with Condor and Brittany Ferries, has exclusive rights to the ramp been given in Guernsey?

1600 **The Bailiff:** Deputy Inder.

Deputy Inder: The exclusive rights can only be given to a supplier once they have been through a competitive tender process so, effectively, that would be part of the final contract.

1605 **The Bailiff:** Deputy Brouard, second supplementary.

Deputy Brouard: Thank you, sir.

Can I ask, did the bid from DFDS fail because of the ships that they may or may not have?

1610 **The Bailiff:** Deputy Inder.

1615 **Deputy Inder:** This is where I would really enjoy, Deputy Burford, again, a proper Scrutiny review on this. I am probably going to not answer that question, because I do not think this is the time and place. There is a danger that some of this becomes out of context and that is why I would welcome Deputy Burford, between now and Christmas, to get us in front of a Scrutiny group. And I would really enjoy that.

The Bailiff: As no one else is rising, Alderney Representative Snowdon, have you now seen the response?

1620

Alderney Representative Snowdon: I have, thank you, sir.

POLICY & RESOURCES COMMITTEE

Alderney air services – PSO reduction and fare increases

The Bailiff: Therefore, I will invite you to put your Rule 12 question to the President of the Policy & Resources Committee, please.

1625

Alderney Representative Snowdon: Thank you, sir.

Following the recent announcement from P&R of major fare increases as the PSO drops to £1.5 million for Alderney Air Services, could the President outline the impact assessment undertaken before making the decision? And was Aurigny fully aware of the increases before they were made public? And did they raise any concerns about the drop of footfall due to the increases?

1630

Thank you, sir.

The Bailiff: President, Deputy Trott, to reply, please.

1635 **Deputy Trott:** Thank you, sir.

On 14th November, the Policy & Resources Committee announced that there would be increases in airfares under the Public Service Obligation contract, the PSO, by five pounds per leg with immediate effect, to address an overspend in the subsidy of approximately £600,000. The overspend of £600,000 is in breach of the contractual arrangements that underpin the PSO. And it is essential

1640 that reasonable efforts are made to bring the subsidy in line with this contract between the States of Guernsey and Aurigny.

A further rise of between £25 and £30 per leg will be implemented from 1st January 2025, for the delayed implementation of an extant Resolution of the States of Deliberation that directed the Committee to bring down the PSO subsidy from £2 million per annum from 1st January 2024. A
1645 reduction to the PSO by £500,000, or a quarter of the intended subsidy was considered proportionate by the Committee.

The Committee worked closely with Aurigny on this price adjustment which included consideration of elasticity of pricing with passenger movements as well as the impact on the budgets of the States' Committees who currently rely on Aurigny to deliver transport services. This
1650 assessment of the impact was proportionate to the level of savings being achieved.

The Bailiff: Deputy Trott, your time for replying has already expired.
Supplementary, Alderney Representative Snowdon.

1655 **Alderney Representative Snowdon:** Thank you, sir.

I think the statement referred to, basically, Amendment 9 which was in response to Amendment 8, which does not say a £500,000 cut to the PSO.

My question being, could the impact assessment that P&R has undertaken, I still do not have the answer, maybe made public? Could the full Aurigny accounts be made public so we can actually
1660 understand the pricing? And could there be a distributional analysis made public, so we completely understand the decision making behind P&R will have catastrophic scenarios for the population of Alderney?

Thank you.

1665 **The Bailiff:** What I am going to do is I am going to treat that as both of your supplementaries, on the basis that you have asked multiple questions to the President that could have been separated into discrete questions.

And I will invite Deputy Trott to reply, please.

1670 **Deputy Trott:** Sir, I cannot speak for the Aurigny Board and Alderney Representative Snowdon is well aware of that. I cannot speak for the States' Trading Supervisory Board; I am not a Member of that Committee, and neither can I speak for them. But this is an ongoing problem, in my view, with the way Alderney engages, particularly with its community, trying to blame everything on a few individuals in this States, despite the fact, as we learned earlier, that both the Alderney
1675 Representatives in this Assembly voted to direct the Policy & Resources Committee to liaise directly with Aurigny in order to bring down the PSO contract. That is what we have done. Far from being criticised, we should have been lauded.

The Bailiff: Deputy Ferbrache.

1680 **Deputy Ferbrache:** Sir, the President said that there had been a breach of contract. And I appreciate it is two questions so I use both my supplementaries. Who breached the contract and when was notice of that breach given to P&R?

1685 **The Bailiff:** Deputy Trott.

Deputy Trott: I do not have an intrinsically forensic knowledge of the contract, but what I can tell Deputy Ferbrache is what I said earlier. The overspend of £600,000 is in breach of the contractual arrangements and when it came to our attention from Alderney, possibly via the STSB, I do not
1690 recall with clarity, we immediately set about addressing those contractual arrangements in line with the mechanisms within the PSO.

The Bailiff: Deputy Roffey.

1695 **Deputy Roffey:** Would the President of P&R agree with me that the Resolution asking P&R to negotiate down the level of the PSO with Aurigny was taken in the context of a decision taken by the States to approve a project to extend the runway which would have allowed a more cost-efficient operation by Aurigny, and that has now not proved possible because of the costs involved? And therefore, perhaps it is inappropriate to say that this Assembly asks for this to happen, because it asked to happen in a certain set of circumstances which no longer pertain?

1700

Deputy Trott: No. Thank you, sir.

No, I do not accept that. And I shall once again read the amendment that was supported by 30 Members of this Assembly, including the President of the States' Trading Supervisory Board, that said, or the chairman, rather:

To direct the Policy & Resources Committee to seek to renegotiate the current Alderney public service obligation contract with Aurigny with a view to reducing the current level of subsidy, payable under the contract by the States of Guernsey with effect from 1st January 2004.

1705

That is what we were directed to do. But in addition to that, there was an explanatory note that came with the amendment which made clear that there was to be a distinction, a separation between any future development of Alderney Airport and this direction from this Assembly.

The Bailiff: Deputy Kazantseva-Miller.

1710

Deputy Kazantseva-Miller: Sir, P&R does not have operational oversight over Aurigny which includes the decision-making on its pricing; it does have the remit to renegotiate the PSO agreement, which is a value of the subsidy that they transfer. Doesn't Deputy Trott believe that perhaps they have breached what their mandate currently undertakes which seems to be a unilateral decision on an increase in prices?

1715

And the question is, my second supplementary, whether consultation with the board of Aurigny has also taken place to undertake this direction to increase the prices.

Thank you.

1720

The Bailiff: Deputy Trott.

Deputy Trott: For the third time, I intend to read the direction of this Assembly. The direction of this Assembly is clear:

To direct the Policy & Resources Committee to seek to renegotiate the current Alderney public service obligation contract with Aurigny, with a view to reducing the current level of subsidy payable under the contract by the States of Guernsey with effect from 1st January 2024.

1725

Now, what the States should be asking, in my view, is why were we only made aware in the middle of the year, that the PSO contract was already in excess of £2 million? To be clear, the £2.6 million was the forecast deficit for the whole of 2024. We have done precisely what this Assembly asked us to do. And for me, it beggars belief that there could be any criticism when the direction is as explicit as contained within this amendment, supported by 30 Members of this Assembly, including, sir, Deputy Kazantseva-Miller.

1730

The Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, sir.

1735

Would the President, like the President of Economic Development, welcome full scrutiny on this matter?

The Bailiff: Deputy Trott.

Deputy Trott: I would. And in fact, the Policy & Resources Committee is in front of the Scrutiny Management Committee in early January, where I am very happy to go into further details on this and other matters.

I would ask the States to bear something in mind. Following the Budget debate, although this matter is unrelated because it is a specific contractual obligation, following the Budget debate, we are running significant deficits.

The Bailiff: Deputy Roffey, second supplementary.

Deputy Roffey: While understanding the point about the deficit, and not seeking to criticise P&R, just exploring something, given that £1.5 million pounds of PSO next year, in real terms, will be a very significant reduction from the £2 million settled on a few years ago, is there any concern at P&R that they may have precipitated a downward spiral of fewer passenger numbers, economic contraction, leading to greater subsidy requirements, leading to higher fares and so on?

A Member: Hear, hear.

The Bailiff: Deputy Trott.

Deputy Trott: No, we do not believe that. Clearly, if that was an effect then it would be a matter that would need to be reconsidered. What I can say is that I have been provided with evidence where residents of Guernsey have been paying in excess of £500 to travel from Guernsey-Southampton return. This, to our knowledge, is a figure far in excess of anything that an Alderney resident has paid travelling to and from the same destination.

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir.

Deputy Trott has referred to the existence of the contract. Does he agree with me that, acknowledging that the contract is not one of the transferred services under the 1948 Agreement, its mere existence and, indeed, the changes which have been made as a result of the decisions last week are evidence of the need for an urgent renegotiation of that agreement between the States of Alderney and the States of Guernsey?

The Bailiff: It does not arise out of the answer given to the original question. So that will not be allowed.

Deputy Gabriel.

Deputy Gabriel: Thank you, sir.

For clarity, because I did not perhaps hear all of Deputy Trott's response, the impact on the travelling public of enacting the successful amendment this year is £5 per sector or £10 per return journey. And from 1st January, is likely to be £25 or a maximum of £30 per sector, so another £60 per return journey. Is that correct?

The Bailiff: Deputy Trott.

Deputy Trott: That is correct. And it is also true to say that it is not part of the transferred services under the 1948 Agreement. It is also true to say that no Guernsey resident receives those subsidies or any subsidy for its travel to the United Kingdom.

I think we need to bear a number of things in perspective, but not least, and I repeat, the fact that we are running a significant fiscal deficit.

1790 **The Bailiff:** Deputy Taylor.

Deputy Taylor: Thank you, sir.

I am not sure if P&R have considered how the fare increases will impact on poverty within Alderney. My question is, has P&R done any distributional analysis to look at how this decision will hit those on incomes in the bottom 20%?

1795

The Bailiff: Deputy Trott.

Deputy Trott: No, the Policy & Resources Committee has not been directed to do that. But what I can tell Deputy Taylor, if it is helpful, is that each and every resident of Alderney currently receives a subsidy equivalent to £5,000 per capita per annum. *Five thousand pounds*. That is in excess of what Alderney residents pay into the common purse. There are some exceptions because they are not in full fiscal union. An example was given this morning of the Alderney Gaming Commission receipts which are for the exclusive use of Alderney.

1800

However, I am advised that the number of suspicious activity reports that are made as a consequence of that entity, represent over nine out of ten of everyone that the Financial Intelligence Unit receive. The manpower required to deal with those is significant and may now exceed the ... *[Inaudible]* of the Alderney Gaming Commission receipts that Alderney enjoy.

1805

It is a complex situation, but do not lose sight of the fact that the subsidy is already in excess of £5,000 for every permanent resident of Alderney per year, and growing.

1810

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you, sir.

Could the President answer this, given the £500 that he alluded to, the connection cost with Alderney and Southampton, does it not say that something is seriously wrong with our airlink, and could perhaps a more efficient way to operate the PSO be adopted with better choice of aircraft?

1815

The Bailiff: Deputy Trott.

Deputy Trott: Sir, I do accept. It pains me that Guernsey residents are paying, on occasions, over £500 to travel to Southampton and back. But it pleases me that Alderney residents will not, as I understand it, exceed paying £375 from 1st January next year for the same journey from their Island.

1820

1825 **The Bailiff:** Alderney Representative Roberts.

Alderney Representative Roberts: Thank you, sir.

With raising the fares to Alderney to Southampton approaching £500, are these actions against a lifeline route designed to make the route unviable, giving it the excuse to close it down? An aim that has been voiced many times in this Assembly by a few.

1830

The Bailiff: Deputy Trott.

Deputy Trott: No, it is not, sir. It is an attempt, quite rightly in my view, by this Assembly, by the Policy & Resources Committee, to adhere to the wishes of this Assembly which were, I repeat, supported by Alderney Representative Roberts and by Alderney Representative Snowdon. We did not hear any of that language in the lead up to their election last weekend.

1835

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Sir, I am getting confused about, Deputy Trott is saying that they have renegotiated the contract but my understanding is that PSO still stands at £2 million per year and what they have done is to reduce the £600 million excess that is currently predicted. My understanding is they do not have to pay that excess on the PSO. Aurigny will have to absorb that loss, and it will be a decision to them on how they execute the PSO on what the pricing and the schedules look like.

My question is back to, if the Committee feels they have renegotiated the contract, what is the PSO obligation going forward? And have they consulted and this has been approved with the Aurigny board, such a significant change?

The Bailiff: Deputy Trott.

Deputy Trott: Sir, this is a classic case of wooden dollars from Deputy Kazantseva-Miller. The contract is clear. The PSO is £2 million a year, currently. It has exceeded that and we brought in measures to bring it back within the contractual obligations. But if the losses of Alderney continued, it would fall, primarily, on the taxpayer of Guernsey to cover those losses. Why do I say that? Because the taxpayer of Alderney is already in receipt of a figure of approximately £5,000 per annum per resident.

Now in a deficit situation, this is particularly unacceptable. But in any event, to do anything other than to adhere to the wishes of this Assembly would have been wrong and will remain wrong in the future.

The Bailiff: Deputy Helyar.

Deputy Helyar: Thank you, sir.

It might be the second time this morning you refuse a question on the grounds that it does not arise from previous. But Deputy Trott has mentioned several times the figure of £5,000 per individual. It would be really helpful if he could publish or distribute his working so that that number could be critiqued, if necessary, sir.

The Bailiff: Is that a question?

Deputy Helyar: If Deputy Trott could explain it now, that would be appreciated. But I do appreciate, of course, he is on his feet. And this is not necessarily the occasion for –

The Bailiff: Deputy Helyar, it does not arise out of the answer given to the original question. It arises out of an answer given to a supplementary question which is not the same thing.
Deputy Dyke.

Deputy Dyke: Thank you, sir.

Can I try this one? The Chief Minister mentioned that he was not particularly happy with the fact that fares from Guernsey to Southampton can reach £250 in each direction, a total of £500. Does that not indicate that there is something deeply wrong with our air connectivity and a thorough review of the Airport and the airline need looking into to deal with that?

The Bailiff: I am not really persuaded that arises out of the answer given to the original question, either.

Deputy Gollop.

Deputy Gollop: I hope I am luckier.

Obviously, I would like to see greater dialogue between the two States. But my question is, will the President agree with me that part of the reason for the increased cost of the Aurigny contract and a factor moving forward, have been the increased Airport landing charges, the STSB have imposed which itself is a kind of wooden dollars.

1895

The Bailiff: Again, that does not arise out of the answer given to the original question. Deputy Taylor.

Deputy Taylor: Thank you, sir.

1900

I suppose I just want to pick up on some terminology, because I think it is good that both Islands have a degree of harmony moving forward. And I just want to ask if Deputy Trott will concede that when he says, or the Committee has responded to say, that Policy & Resources were under direction to bring down the PSO, the actual direction was to renegotiate 'with a view to reducing'. It was not a wholesale absolute has to be reduced. And I wonder if he would at least concede on that point for the benefit of all Islanders?

1905

The Bailiff: Deputy Trott.

Deputy Trott: No, I think that the Policy & Resources Committee now finds itself in a difficult, broader position. But it is important to make clear that the decision was taken on this matter prior to the debate on the Budget. In other words, we would have been obliged to have done this in the manner in which the amendment was worded, irrespective.

1910

I think this Assembly does need to take a sharp intake of breath and remember that as a consequence of the debate, our last big debate, we are in a position where we have insufficient resources to fund the Funding & Investment Plan.

1915

Regrettably, particularly bearing in mind that Alderney Representative Snowdon, sensibly, in my view, voted for the temporary rise in Income Tax, it is important to remember that Alderney Representative Roberts did not – they effectively cancelled each other out – we are now in a position where we will be returning to this Assembly in February with a revised Funding & Investment Plan.

It saddens me to say that one of those potential casualties is the Alderney runway, as presently anticipated by this Assembly. That is regrettable to me, but it is also important to remember that both Alderney Airport and Guernsey Airport lose substantial sums of money which are effectively funded by general revenue. We simply cannot have it both ways, Members. We have got ourselves into a little bit of a pickle.

1920

1925

The Bailiff: Your time for replying is up. Alderney Representative Roberts, second supplementary.

Alderney Representative Roberts: Thank you, sir.

I take on board what Deputy Trott says. The Alderney-Southampton is worth £1.8 million to the Island's economy. Is Alderney a soft target to P&R?

1930

The Bailiff: Deputy Trott.

Deputy Trott: Of course it is not. May I also say, sir, that I accept Deputy Roberts apology, earlier, for the language that was used over the course of the last couple of weeks which on some occasions, has been disgraceful. So I accept his apology.

What I do not accept is that Alderney is mistreated or badly treated. In fact, it is a favoured child by the States. Because Alderney residents get, and I repeat once again, about £5,000 per year per resident, as subsidy direct from the Guernsey taxpayer. And as a previous question alluded, things such as the PSO subsidy on Aurigny are outside of the transferred services referred to within the 1948 Agreement. It is a case, sir, that the residents of Alderney should be genuinely grateful for the

1935

1940

respect they are shown by this Assembly, not forever being critical of the generosity of Guernsey-based taxpayers.

1945

The Bailiff: Well, that concludes supplementary questions on the two Rule 12 questions. Greffier, over to you.

Billet d'État XIX

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

2. Non-Contributory Benefit Rates for 2025 – Debate commenced

Article 2.

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled 'Non-contributory Benefit Rates for 2025', dated 7th October 2024, they are of the opinion:

- 1. To set the income support requirement rates at the rates set out in Tables 1 and 2 of the Policy Letter, from 3rd January 2025.*
- 2. To set the income support limits of weekly income for people residing in residential homes, nursing homes, EMI (dementia care) accommodation, and the Guernsey Cheshire Home at the rates set out in Table 3 of the Policy Letter, from 3rd January 2025.*
- 3. To set the income support carer's allowance disregard at £60 per week.*
- 4. To set the personal allowances payable to persons in Guernsey and Alderney residential or nursing homes who are in receipt of income support and to persons in United Kingdom hospitals or care homes who are in receipt of income support at the amounts set out in Table 4 of the Policy Letter, from 3rd January 2025.*
- 5. To set the maximum rent allowances, for income support purposes, at the amounts set out in Table 5 of the Policy Letter, from 3rd January 2025.*
- 6. To set the supplementary fuel allowance at £40.67 per week, from 25th October 2024 to 24th April 2025.*
- 7. To amend the Income Support (Implementation) Ordinance, 1971 to disregard any interim compensation payment for infected blood administered by UK agencies, as well as any payment by the Infected Blood Compensation Authority under the Infected Blood Compensation Scheme established by the Infected Blood Compensation Scheme Regulations 2024.*
- 8. To set the rate of family allowance at £17.70 per week, from 6th January 2025.*
- 9. To set the annual household income limit for family allowance at £125,000, from 6th January 2025.*
- 10. To set the rates and annual income limit for severe disability benefit and carer's allowance at the rates and limit set out in Table 7 of the Policy Letter, from 6th January 2025.*
- 11. To set the payment tariffs under the Mesothelioma Compensation Scheme at the rates set out in Table 10 in Appendix 2 of the Policy Letter, from 1st January 2025.*
- 12. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.*

The States' Greffier: Yes, sir.

1950

Billet d'État XIX, Article 2, Committee for Employment & Social Security – Non-Contributory Benefit Rates for 2025.

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

Deputy Roffey: Thank you, sir.

1955 By and large, this is very much a box standard operating exercise, with all payments going up by the respective RPI figure of 4.5%. But there are just a few exceptions which I will run through. As always, the Winter Fuel Allowance will be adjusted by its own inflation index which involves the aggregate change in the cost of different types of fuel.

1960 The disregard for Carer's Allowances when calculating Income Support rates will go up by £10 to £60. This is a focused help for carers on low incomes. In the present financial circumstances, it is only fair to clarify that this will cost about an approximate £70,000 a year in additional payments. However, I know Members have very often pushed ESS to do something about carers. And this is, I hope Members will agree, a very modestly costed and focused way of doing exactly that.

1965 Maximum rent allowances are proposed to go up by 10%, which is more than inflation. They have gone up only by inflation over recent years, at a time when the market has gone up way beyond that, making those maximum rental houses more and more detached from the reality out there. However, we do not want to chase that market, because then we may help to inflate it. But we did need to do something to recognise the reality on the ground, particularly as a number of requests for discretionary payments above the maximum are now reaching a level that, administratively, are quite difficult to cope with.

1970 Lastly, sir, in common with the UK, we are proposing to disregard any compensation that may be paid to Islanders in connection with the infected blood scandal when calculating Income Support requirements. Other than that, it is absolutely a straightforward RPIX exercise. And I ask Members to support them.

1975

The Bailiff: Deputy Roffey, you submitted an amendment to these Propositions. Is it your wish to lay that amendment now or is it no longer needed?

1980 **Deputy Roffey:** No, sir. As I explained at the time, that amendment would only be laid if either Deputy Helyar's or Deputy Dyke's amendment to the Budget Report had been carried.

The Bailiff: I understand that, so that is not being laid.
Deputy de Lisle.

1985 **Deputy de Lisle:** Sir, I find that expenditure, in terms of Income Support, keeps rising. And the money, of course, is taken from the public purse. So I would like to ask, what successes has ESS had in reducing expenditure on Income Support? And I would like to ask that in terms of measurable statistics, please.

Thank you.

1990

The Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, sir.

1995 I rise to focus on two specific issues. The first being Income Support which is rather apt since Deputy de Lisle has just focused on this as well. If Members look at pages 14 and 15 of this policy letter, they will see the breakdown of recipients of Income Support. And for the benefit of Islanders listening on the Radio, who might not be aware of the figures relayed, I am going to read them out.

2000 At the very top of the list, we are told 914 pensioners were in receipt of Income Support up until 2024, which is, oddly enough, one pensioner less than the number who were in receipt of income support in 2023. And that concerns me greatly, bearing in mind there are approximately 15,000 pensioners living here in the Island. Many of whom repeatedly tell us they are struggling to survive financially. I would not have been surprised if that number had increased dramatically since 2023.

But to see that it is reduced is a great concern. There must be something drastically wrong somewhere along the line.

2005 I know, having set up and run the Age Concern Fuel Fund for six years, that there were, indeed, up until six years ago, when I handed over to somebody else, hundreds of pensioners struggling to survive. But I thought by now there would be thousands.

2010 What I would like to suggest to colleagues, through the Chair, obviously, is we all make a conscious effort and get out there and help pensioners who are struggling financially. And help them to apply for Income Support. And we can all do that by setting up an appointment with a member of the Income Support team and going along to the appointment with that pensioner or pensioners and sit alongside them throughout the interview, providing moral support. Because that will mean a lot to those pensioners. Many of whom are extremely apprehensive about having to apply for Income Support in the first place.

2015 And of course, if the pensioner would rather not go to Wheadon House for an interview, or is unable to go for whatever reason, then make an appointment for a member of the team to visit the pensioner in the comfort of their own home. And then go along, sit alongside them and offer moral support and guidance throughout the duration of the interview. I have done both of those on dozens of occasions over the years. And I am sure, sir, some of my colleagues have also done the same.

2020 And it is not until a Deputy works alongside staff at ESS, that they realise just how considerate, compassionate and professional the staff at ESS actually are. Because they know how stressful it is for any Islander to be in a position where they need to ask for help. And they do their absolute utmost, often under extremely difficult conditions, to help.

2025 And I can honestly say they have certainly done their utmost to help on the dozens of occasions I have taken on one-to-one cases over the 12-plus years I have been a Deputy. In fact, sir, I have said this before and I will say it again, I have cost Social Security hundreds of thousands of pounds over the years, maybe even millions, actually. And I am proud of it. I am proud of it, because every penny of that money has gone to the most needy and the most vulnerable in our community. And 2030 I can assure Deputy de Lisle, through you, Income Support does go to the most needy and the most vulnerable in our community.

2035 Sir, to continue running down the list on page 15, we see that 797 incapacitated Islanders received Income Support in 2024, as did 242 jobseekers, along with 330 single parents, 214 disabled Islanders, 647 work requirement recipients, and finally, 37 others who are not classified in the graph itself. But if one looks at footnote 14, we see they include partners and spouses of carers, prison inmates and Islanders who have been hospitalised. And the grand total of income support recipients comes to 3,181 which is only 39 more than the year before.

2040 But to break that down even further, we are told in paragraph 2.42 on the previous page, that the claims include 2,113 dependents, 1,669 of which are children. Which gives a total Income Support population of 5,294 people, which is 16 less than the previous year. Which is quite extraordinary when one bears in mind the cost of living has absolutely gone through the roof over the last two years.

2045 Earlier I said, I think there is something wrong here. And what I think is wrong is, I suspect it is the reluctance of Islanders to apply for help, because they do not want to have to rely on the States for their very existence. And I am sure we all get that. Which is why I urge my colleagues who are not already doing so, to get on out in the community and offer your support to any Islander who you know is struggling to survive financially. Because there must be a lot more out there.

2050 I know Deputy de Lisle wants to bring the cost of income support down, but there are a lot more Islanders, I suspect, needy and vulnerable Islanders out in our community who would welcome Income Support. And on the issue of Islanders playing the system, sir. It is not as easy to do that as a lot of people think.

When I first started working on one-to-one cases a little over 12 years ago, it was easier than it is now. But staff have worked incredibly hard to plug those cracks and loopholes in that time. And even though some Islanders may appear to be playing the system right now, unless colleagues

2055 know that person, they will not know that person's story. And I can assure colleagues and fellow Islanders that anyone in receipt of Income Support in the current day has had to jump through hoops, several hoops, in order to be able to receive the benefit payments they currently receive. Because in general, Income Support and any other benefit payment for that matter, goes to the people who need that support.

2060 The second issue I want to address is laid out in Proposition 7, Deputy Roffey referred to this in his opening speech, which asks us to disregard compensation payments made to Islanders who were victims of the UK infected blood scandal. Now it is hard to believe that such atrocities actually happened, but they have happened. And as we see laid out in paragraph 2.5, more than 30,000 people were given blood which was infected with HIV, Hepatitis C and/or Hepatitis B. And over
2065 3,000 have died as a result of the disgraceful cover up.

I would have liked to have seen a lot more detail about this scandal, the whole disgraceful cover up in this policy letter. Because in addition to the more than 30,000 mentioned in the policy letter, an estimated 3,650 people suffering with Haemophilia were also given infected blood by the NHS, prior to 1996, and that included 380 children. I stand to be corrected on this, sir, but to my
2070 knowledge, no one has been made accountable for that, and they should have been. It is disgraceful that they have not been. Tens of thousands of people's lives have been ruined by these atrocities.

There is a little hope for the victims of this crime against humanity, in the form of compensation payments, as explained in paragraph 2.46 which also tells us that prior to the compensation scheme being established, interim compensation payments were made under another scheme administered
2075 by various agencies.

And as we are told in paragraph 2.48, it is likely that between five and 10 people living in the Bailiwick had their lives completely ruined because they were victims of this disgraceful affair and they may be entitled to compensation, and discussions are ongoing with the UK to ensure that those Islanders actually receive that compensation.

2080 And my colleagues, sir, will no doubt recall, I submitted a set of Rule 14 questions to our Health Committee in August this year. Following up on the fact that Guernsey resident, Mr Ian Walden, a victim of the scandal, said in the media on 18th June that he had already received compensation from the States of Guernsey. And in response to those questions (**Deputy Brouard:** Point of order, sir.) HSC said –

2085 **The Bailiff:** Point of order, Deputy Brouard.

Deputy Brouard: I just wonder if this is going off on a tangent, sir. For the –

2090 **The Bailiff:** I do not think it can be going off on a tangent. Deputy Queripel is a Member of the Committee for Employment & Social Security and this has the unanimous support, as we are told in the policy letter of that Committee, that there is a Proposition to amend the 1971 Ordinance. And therefore, I think he is at liberty to say what he is saying. It is relevant to the debate.

Deputy Queripel to continue, please.

2095 **Deputy Queripel:** Thank you for your ruling, sir. Much appreciated.

Sir, as I say in response to those questions, HSC said they were not aware of any compensation payments made by the States. And they said that the Committee will stand by any Islander whom may actually qualify for compensation from the UK.

2100 So the issue of whether or not the States has provided compensation payments to Islanders affected by this dreadful scandal remains a mystery. But I will be submitting some more Rule 14 questions to HSC in an attempt to clarify the situation in the not-too-distant future.

Sir, having said all that, I urge colleagues to unanimously support Proposition 7, because we have been told that Islanders have already received compensation payments. And others may well
2105 do in the future if discussions with the UK go in our favour.

Sir, moving towards a close, in relation to Income Support, I want to finish by focusing on the issue of some of our Islanders having to decide whether they heat or eat throughout the winter months. As we all know, that has been going on for decades which is why I am so concerned so few Islanders actually apply for Income Support.

2110 And I was speaking to several Islanders late last winter. Not just pensioners, I hasten to add, but couples with children who tell me they do a little of both. Which means their stomachs are never really full. They eat enough to survive and their bodies are never really warm enough but they are not shivering with cold. And in the case of parents with children, they make sure their children get enough to eat, even if it means they themselves have to go without from time-to-time. And that
2115 really, surely, is not the way any of our fellow Islanders should have to live in this day and age, as I am sure everyone in this Chamber agrees, sir. Especially bearing in mind our number one objective which is to improve the quality of life of our fellow Islanders.

Sir, when we go to the vote, I asked for a separate vote on every single one of these Propositions, please, to send out a clear message to all of our fellow Islanders: we really do care about their
2120 wellbeing. And I can only hope that every Proposition receives unanimous support from this Assembly, because I can honestly say, I have never actually met anyone who wants to be poor.

Thank you, sir.

The Bailiff: Deputy Kazantseva-Miller.

2125 **Deputy Kazantseva-Miller:** Sir, I have got to draw through these debates, on debate we had on the Budget, because they are one part of the whole. And I think this is one of the problems where we debate decisions which have substantial implications on our expenditure outside of the Budget process. I appreciate that this policy letter was supposed to be debated during the Budget
2130 debate, but I think my point is that non-contributory benefits should be part and parcel of the Budget and not a separate policy letter. And the reason they should be part and parcel of the Budget process is because during the Budget process, we approved general revenue expenditure.

General revenue expenditure, non-contributory benefits form part of general revenue expenditure because they are not funded by Social Security which is separate. They should be part
2135 of the Budget debate that we have, which tries to pull together, what are our income generating measures, what is our expenditure. And I think this is an issue that is debated outside of it.

So back to the Budget debate which will fundamentally affect what we do with this. During the Budget debate, we approved a general revenue expenditure of £650 million, right. This includes the Committee for Employment, Social Security cash limit which includes funding for the Propositions
2140 that are in play through this through this policy letter.

As we well know, the way the Budget ended up being structured, the compromise amendment being structured, is that we have ended up with a Budget, an unfunded Budget which circa of £27 million of it being unfunded because the revenue generating measures, Income Tax, were not approved. And this was partly because of the way the compromise amendment was structured
2145 which allowed for Proposition 1B to be approved in its whole.

In fact, and I am not quite sure that Deputies understood the implications of voting for £650 million, because we were actually told, and including in the summing up by the Chief Minister, that we had to approve that expenditure. Well, we did not have to. We did not have to. But we are now working on the assumption that that expenditure is approved which also implies that
2150 expenditure for Social Security is improved and that we cannot shift that. And I do not really take that as approved expenditure. I think we are still not in a position where we have settled on what the general expenditure for next year should be.

Yes, we had amendments that brought forward by Deputy Helyar and Deputy Dyke that tried to reduce the expenditure, but the way they were structured and the way we debated them, they were
2155 not the fallback options that we could have voted on if income generating Propositions fail. So I think we had a structurally unsustainable Budget Propositions in the end which made us end up in the situation of the unfunded Budget we have got.

I am working from the assumption that we have the opportunity to still review the general expenditure of £650 million that was, in principle, approved. I did not approve that Proposition, but by majority we did. I am working on the assumption that there is room for amending that expenditure. That means there should be, and Deputy Roffey, I think, absolutely correctly, and today on the front page, saying that it would be absolutely myopic if P&R is only looking at cutting capital expenditure to rebalance the situation we are in. I absolutely agree with him.

I think we should still be looking at how we can shave the general expenditure approved. Because as I said in my speech before, it was a real terms increase in general expenditure above inflation from last year. I think there is room for amending that. I think there is room for increasing revenue generation elsewhere. But until that is known, again, I cannot be in a position where we just sign off and confirm the £650 million expenditure which is what would happen if we approved the Propositions, most of the Propositions relating to setting up the non-contributory benefit rates.

This is the problem I have got. If we approve, and I do not want to be in a position where we delay and do not approve, but if we approve, we perpetuate the fact that we are not going to be able to make changes to the general expenditure that was, in principle, approved two weeks ago. It is a very tricky position. And I also do not think how Deputy Roffey can say, 'Well, we should be looking at expenditure elsewhere and income generation,' but go ahead and say, 'Well, not on my turf, because we are going to go ahead and just approve what was being proposed.'

I am in a really tricky position where I am inclined not to support the policy letter which would mean that we are not in a position to have the benefit rates ready for 1st January. But I think this is a clear situation when the Assembly has to be cognisant of the decisions you make on one hand, and the expenditure you are trying to approve on the other. We can no longer go in that unsustainable way.

I am in a position where I would not be approving the majority of Propositions, because I believe that P&R has to come back with an amended emergency Budget that gives us different proposals on the expenditure, so that we are in a situation of better balanced books for next year.

Unfortunately, and I know it is very unfortunate, this will mean a delay. But I think it will be financially really imprudent to be forcing us in a situation where we lock in expenditure for the second most expensive Committee we have got, without having further sight of what the emergency Budget would be. These are the kind of decisions we have got to be facing. And I really do not want to be making decisions. But I do think it is financially really imprudent to be debating this policy situation in light of the unfunded Budget we have got.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: I would just like to follow on from Deputy Kazantseva-Miller.

I think she made some good points. Some things, I think, we will address later in a different debate. But I think she is right. I was surprised that Deputy Roffey decided not to lay the amendment, exactly on the back of where we are at the moment from a deficit Budget. I am surprised that we are now just debating the whole thing as is.

But my focus was going to be on the family allowance cap. Members, for the first time, we are seeing a desire from the ESS to increase that cap and that surprised me because that cap was brought in as a result of the work of a Committee comprising at the time, HSC, ESC and ESS. And that was on the back of an amendment from former Deputy Mark Dorey in 2016 which, I just have the information here:

To direct investigations into whether Family Allowance should be universal allowance and whether the surplus funds after an upper limit could be used for other things.

And that was referenced.

Now in 2020, this triple trifecta of a subcommittee brought a policy letter to the States and Members might be aware that these were implemented in this term. But as part of that, what the Committee put forward was, putting a cap on Family Allowance at a household income of £120,000,

which I thought was quite high. And for that money that was made available to be used to subsidise GP fees, other various medical consultations, free annual dental check-ups for children and other, I think it was called extended cultural development opportunities for pupils in States' schools. That was the idea and it was basically aimed to, what was provided would be balanced by the amount of income that would not be paid out in Family Allowances.

Now I was interested, I thought I would go back to that policy letter and see what we actually said, because I thought, seeing this increase made me think, well, has any work been done to ensure that we are keeping that balance. Because, you put the money in and it was meant to balance out what was subsidies with the income that we were not having to pay out.

And I thought I would just point to one of the paragraphs in that Report. And it said:

The overarching policy intention of this policy letter is that a reduction in family allowance payments to higher income families will provide the principal source of funding for these service charges. The Committee's recognised that there are a number of variables affecting this, including the level of demand for services and the number of families who fall outside the income cut-off for family allowance from year to year. The cost of service provision, and the extent to which it is balanced by a reduction in the cost of family allowance will, therefore, need to be kept under review.

Now, there is nothing in this policy letter that shows that any of that work has been done. And I think it would have been useful to have seen that to be able to evaluate whether we could then afford that increase in Family Allowance.

I have made some enquiries, and I understand that as it currently stands, it is just about washing its face. But the impact of the changes put forward by the Committee were, I believe, the implication is that although the number does not stand out there, it is going to be about £300,000. But currently, we pay £7.2 million in Family Allowance and next year it will be £7.5 million. And it is attributed to that increase in that cap.

Sir, I am thinking on the back of, as Deputy Kazantseva-Miller very eloquently put out, the fact that we have got a deficit Budget and on the back of the fact that this is not balancing the original intention of that policy letter, I find it very difficult to be able to support Proposition 9. But I would like to hear more from the Committee for their actual evidence to demonstrate that it is needed, other than anything that might be anecdotal.

Thank you.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir.

Deputy Kazantseva-Miller, I think, has given us quite a fine analysis of where we actually are. I think what might have happened at the last debate, it had taken so long, and the approval of the £650 million figure was a long way down the list, which we are rushing through at 90 miles an hour. And I think there might have been Deputies who voted for it without actually quite realising what they were doing. Anyway, it was done. I did not vote for it.

Now we are in a position where we have got the cart before the horse with this thing with the proposals from Deputy Roffey. I am not too sure what to do about it. Do we say, no, and then leave it, put it back to P&R to come back forward with their mini Budget and then this is part of it? That seems a logical thing to do. I raise that question and perhaps somebody from P&R might comment.

Could I ask, at a technical level, a separate point, looking at paragraphs 2.10 and 2.11 of the policy paper; this is concerning long-term care benefit – I will give way.

Deputy Trott: Thank you to my friend, Deputy Dyke, for giving way.

The Policy & Resources Committee will be coming back in February. The timeline of the States means that we cannot make January, we will be back in February. The focus will be on the Funding & Investment Plan. The expectations around other matters are probably premature at this time, although, there is still more work to be done.

2255 But directly to address the question about the £650.6 million Budget that was approved through Proposition 29. If the States had chosen not to do that, having exhausted all other aspects of the Budget, we would not have been able to pay the teachers and the nurses and all of the other public sector workers and all of the services necessary.

It was absolutely essential that the States did approve that. And in doing so, created the deficit Budget that we have referred to many times since in here this morning and in the media thereafter. So I hope that helps.

2260 **Deputy Dyke:** Yes. I thank the Chief Minister for his intervention there. So that gives us something else to think about.

A technical question. Maybe I should have brought these in Rule 14 questions, but paragraphs 2.10 and 2.11 of the policy letter, and it is a question rather than a comment or a criticism. Talking about eligibility for long-term care benefit is based on residency. My question is, how long? paragraph 2.11 then goes on to say, 'If a person is assessed as having long-term care needs but is ineligible, then he may receive financial assistance anyway.' Perhaps Deputy Roffey could clarify: does that mean that someone can come to the Island, willy nilly, needing long-term care and either get care benefit based on residency, and I would be interested in what the cut-off point is, but if the residency is not long enough, then they get financial assistance anyway? This is one of the issues we have got, potentially, to worry about that we need to fix.

Thank you.

The Bailiff: Well, Members of the States, will now adjourn until 2.30.

*The Assembly adjourned at 12.30 p.m.
and resumed its sitting at 2.30 p.m.*

**Non-Contributory Benefit Rates for 2025 –
Debate continued –
Propositions carried**

2275 **Deputy Murray:** Thank you, sir.

I would like to make two points. The first point is really just picking up on something that Deputy Soulsby mentioned this morning which I just wanted to put a different perspective on. And that was the amendment that obviously is no longer in play. I am not speaking to the amendment. It is really what the amendment actually was doing. And I completely accept that it was put in place during the debate in the case of extremis, but I think what it indicates is where the red line is for ESS in terms of the contribution limits which is to hold them at 2024 rates. That would appear to me to be something they would have settled for *in extremis*, I accept.

2285 But the second issue I want to talk on was responsibility, because when we make decisions in here about policy papers or Propositions, we have to take responsibility for those decisions. And the difficulty that we have now found ourselves in, of course, is that we have an unfunded Budget. And we now have one of the consequences, it will not be one of the first consequences of that, it is in the Budget but it is not funded, which was the point I think that Deputy Kazantseva-Miller was making before, which is a very peculiar position to find ourselves in, when we know why we got here.

2290 But the point of responsibility that I wanted to make was that there are consequences when we make these decisions and when P&R came in with a Budget to try to raise funds in two specific ways, obviously, and one of those was successful, one was not, one I actually looked at was who voted for what. And from ESS's perspective, two Members of ESS voted for one of those Propositions or both of them. And the only one who voted for both was Deputy Queripel who quite

rightly this morning, as he always does, did his best to defend and champion the underprivileged and the vulnerable. And I applaud him for doing that. But he was not taking any chances, he was making sure that there would be money in place.

2300 Unfortunately, most Members of ESS did not vote for anything and that has given us a problem, and it has given them a problem of their own making in some respects, because you do have to take responsibility. You cannot have, as Deputy Gollop often says, the penny and the bun because if you do not pay the penny, you cannot eat the bun. And that is really where we found ourselves with this particular Proposition or policy paper.

2305 I think we all understand the challenges that Islanders have got, and particularly those, obviously, on lower incomes and that is what this is in place to help. But we had a lot of talk about cuts and obviously that amendment that I mentioned before was a defence in case those cuts came to pass. As I said before, they became a red line. When we are starting to talk about serious changes to the way the Budget actually performs, and we want to talk about cuts, you cannot have it both ways. You are going to have to accept that actually we cannot always keep on paying out and paying out
2310 and paying out (**A Member:** Hear, hear.) if we have not got the money coming in.

And if Members are not prepared to back approaches, initiatives, however they are, to bring money in, then clearly the other side of the equation cannot be dealt with either. Unfortunately, I find myself in a position of thinking I cannot support this, but I am comfortable in the situation of not voting for any or some of this, because I know that ESS could live with the 2024 Budget because
2315 that is exactly what that amendment put in place.

So I would urge Members, when they actually do make the decisions about what to support or not to support on this particular policy letter, to bear in mind that that was a doable solution; *in extremis* it was a doable solution and I would say we are *in extremis* because we have an unfunded Budget. We have to start looking at what we have to start saving money on to try to make sure that
2320 that loss, that that unfunded, gets as little as possible and try to address it as best we can.

When we do vote on this, which I gather will be fairly shortly, please bear in mind that when we will not take difficult decisions, then we have further decisions that then become even more difficult down the line (**A Member:** Hear, hear.) and this is the first one. And I suspect there will be a lot more.

2325 Please, Members, be responsible and recognise that there is a safety net here which is the current contributions levels, which is more or less what that amendment is putting in place. It is not the end of the world, but it is an indication that we are being responsible.

Thank you, sir.

2330 **The Bailiff:** Deputy Le Tocq.

Deputy Le Tocq: Thank you, sir.

I rise in support of my colleague, Deputy Murray. And so I will not speak very long because he has mentioned lots of things.

2335 It troubles me to vote against most of the Propositions here because I do not believe that it needed to be so. But many who will support it, no doubt, did not support any increase in income in our revenue. And as a result, that means we have to make some tough decisions. We have virtually no flexibility now, next year. We have no monies to put into very urgently needed infrastructure and therefore, I believe we need to cut our cloth appropriately. And as a result, like Deputy Murray, I
2340 feel that we must be consistent in that and, in doing so, I therefore cannot support increases where I think we need to make savings so that we have the flexibility necessary to get through next year and possibly the year after. I do not know whether I will be in this Assembly or not then, but I think for the next two years, unless something dramatic happens to change our fortunes, we will be faced with this situation.

2345 Now it pains me to do so, because I would have liked to have supported this, and of course, if the proposals under the Budget proposals, as put forward by P&R had been supported, it would

have been easier to do so, but we are not in that position. And therefore, until we have a change in fortunes in terms of our revenues, I cannot support this increase.

2350 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Sir, I take a different view to the two very able colleagues who have just spoken – and I have worked closely with both of them.

2355 Now, I voted for the Dyke amendment. I voted to stop payments on an incremental basis for those who are going to join this public service from January 2025 and I voted for 1B. So I have no compunction at all in saying I took a responsible attitude, I believe, in the last States' Meeting. There are 11 of us that voted for Deputy Dyke's amendment. Eleven out of 36-37 people. *Eleven!*

2360 Most of us voted for the Helyar amendment but when P&R came galloping over the hills with their amendment, 36 hours later, only 11 of us voted against it. I do not have any compunction in making the comments that I do. I am *not* voting against these proposals that affect those that are in need. (**Several Members:** Hear, hear.) I am not doing that. That is not a necessary commitment.

2365 I do think that to have set the annual household Income Tax at £125,000 is a bit high, but that is for another day. That is for another day, rather than nitpicking individual items. So I am sorry if people think I am financially irresponsible because I am voting for these increases I am not here and I never have been, from 1994, when I first started as a States' Member, to disadvantage those who need assistance. These people need assistance. They should be given it. It should be a unanimous vote on all these issues.

Several Members: Hear, hear.

2370

The Bailiff: Deputy Bury.

Deputy Bury: Thank you, sir.

2375 Really, following on from Deputy Ferbrache's speech, which I entirely concur with. Responsibility, that is where Deputy Murray started, and responsibility is important, is a huge part of our role here. But as a Government, we are responsible for helping, supporting and looking after our most vulnerable members of our community. Of course, we find ourselves in a difficult position right now, in terms of the processes. This should have been debated immediately after the Budget. The situation would not have been any different than it is right now.

2380 We have gotten ourselves into a mess. But it seems an odd starting point from my point of view, and in my opinion, that before we have even had a chance to assess, before P&R have had time to have a look at what we are going to do about that and come back with proposals – which are not going to be comfortable, of course, they are not – for this Government to send out a message that before we have looked at any of that, where we will *start* cutting is the most vulnerable members of our society. We are talking about this in really broad terms in all of the proposals. But let's talk about some of the details.

2390 Income Support is an in-work benefit. It supports people who work but do not earn enough for a pretty base level standard of living. We are talking about people who are on low incomes, people that a couple of years ago were being championed as our front-line workers, who were being sent out while the rest of us all stayed safe at home. Those are the sorts of people that, by the very nature of their jobs, because they are low paid, are on Income Support.

2395 We are talking about carers. That is in Proposition 3. Carer's Allowance disregards. There have been innumerable times that in here, we have been asked, why are we not doing more for carers, informal carers who, in fact, are saving the Government an absolute fortune by looking after their own and not coming to HSC for care. (**A Member:** Hear, hear.)

 Rent allowances. I could go through them all, but Deputy Roffey has and will, I imagine, in his response. But I think it is really important just to look at some of those details. It is easy to talk about the Propositions as just one big blob and I am not sure I can vote for them. But let's really think

2400 about what that means and where we are starting, because the message that that sends to our community, as to where we want to start sorting out the mess we have made, is by targeting the most vulnerable members of our community, is not a message that I want to be a part of. And it is not a message that I will be putting my name to. (**A Member:** Hear, hear.)

Thank you, sir.

2405 **The Bailiff:** I will turn to the President, Deputy Roffey, to reply to the debate, please.

Deputy Roffey: Thank you, sir.

I heard some fairly extraordinary things said this morning. I heard it suggested that States' Members did not know what they were doing when they voted £650 million in revenue budgets for the various Committees and Departments. That had been quite a long debate and had gone on for a while and there are quite a lot of Propositions, although, they were helpfully reformatted for us.

2410 So how could they possibly know what they were doing when they voted overwhelmingly for £650 million-worth of revenue budgets for the various Committees? Sir, if anybody really did not, I say to them, 'Do not wait till next July. You are not fit to govern, go now!' Really, really. One Proposition you should have known exactly what you were doing, it was on that one.

2415 But it was suggested that even though we did approve every Committee's revenue budget, ESS should not be spending their uplift until after the emergency Budget or the reconsideration of the spending, whatever it is going to be, however it is going to be termed. Well, I hope that any Member that is going to vote against this on that basis, that they want to wait for that, that their spending Committees, whether it is HSC who had an uplift to do various things – and quite rightly so, I am not arguing with that – and all of the other Committees, you are not going to spend any of those revenue budgets that we voted for, apparently not knowing what we were doing, until after the February debate, because why should it be?

2420 As Deputy Bury says, it is only the poorest in the Island that gets the punishment beating, and Education will be able to spend their Budget and Home Affairs will be able to spend theirs. That makes no sense to me whatsoever. (**A Member:** Hear, hear.)

2425 Deputy Murray said, 'Well, look how the Members of ESS voted.' Well, I have to say, that I have voted consistently throughout this political term to recognise the fact that we needed more revenues. And I have been unstinting on that.

2430 Let's wash some dirty linen in public. I have been quite frustrated, on a personal level, with some of my Members who I know that care passionately about public services, that they could not necessarily see that need. But we should not be voting today on the basis of how political Members of Committees have voted, because you are not punishing them if you do not vote for this. They will not have any reduction in their States' Members' pay as a result of this. It is going to be the 900-odd pensioners that Deputy Queripel mentioned that are on Income Support. It is going to be the people with disabilities, the people who are caring. Why should they be vicariously punished because Members of ESS did not vote the way that some people wanted them, including me, to actually vote during those debates? I find that really quite extraordinary.

2435 Yes, we have voted revenue budgets that are not fully funded, and we are going to have to fund them. And I could have predicted, even if I had voted for it, that it was absolutely no chance of the increased Income Tax going to. We are going to have to find other ways of raising revenues. And yes, we are going to have to look at the other side of the balance sheet as well.

2440 But we are not even talking about increases here. We are just talking about retaining the real value of the support we give to the poorest in Guernsey. What kind of message ...? We would just be giving up. We are just giving up as a Government if we are not willing to support that.

2445 I will go through a few of the specifics that were mentioned. I will get my reading glasses on for that. Deputy de Lisle was first, now he has never liked Income Support very much, I know that. He says, 'Well, why does it keep going up?' Well, it is not skyrocketing, but it is going up. And one of the main categories of people that receive Income Support – it is an in-work benefit for those people of working age – but one of the main categories is actually pensioners. And it may have escaped

Deputy de Lisle's notice, but we are getting more and more pensioners. And while they do not all need Income Support, if it is the same percentage that do then there is a more expense in that way.

2455 What are we doing to try and bear down on it? We have, in a whole range of ways, tried to cut down on the expenditure on benefits. In relation to Income Support, one obvious one to mention is that very recently we have reduced ... until recently, a single parent or an individual partner in a couple did not have a work requirement to get Income Support until their youngest child reached five. We have reduced that to two. So it is very difficult to put pounds, shillings and pence on that. There are so many moving parts and some things going on and things going down. But we are certainly trying to bear down on it where we can.

2460 Deputy Queripel had a lot of questions for somebody actually on my Committee. *(Laughter)* But, yes, why only 900-odd pensioners getting Income Support? Well, of course, not all pensioners are poor. There are quite a few pensioners in this Assembly, looking around, and I do not think *(Laughter)* they should necessarily get Income Support.

2465 But I think digging underneath what he was saying is, are there probably some pensioners out there who would qualify for Income Support and have not come forward? I think there probably are and I share his view that we should ... Anybody that is really struggling, it is worth them, whether it is a pensioner or otherwise actually, at least making contact with the Income Support team, because they will always be happy to look at their circumstances and see whether or not they qualify. And I hate the idea that there are pensioners out there who just feel they ought not to do it and maybe

2470 are living very poor lives as a result.
As for the infected blood scandal, well, of course, he wanted to know far more about it. Well, I am afraid it is not really my Committee's mandate. All this policy letter is saying is that when somebody else compensates people for receiving infected blood, that we will not claw that back through their benefits by taking it into account. I think he is quizzing the wrong President over that, really. But I think the gentleman to my right protests too much! *(Laughter)* I am not saying who the right President is. I am just saying I am not the right President.

2475 Deputy Kazantseva-Miller, I think I have addressed her point at the beginning. Yes, we did improve those revenue budgets and they are approved. And to say that we cannot spend them in the way, almost uniquely, ESS just about all of its general revenue budget does go on these benefits.

2480 Now, Deputy Murray is right. The fact that we prepared that amendment proves that, yes, we could have kept people on last year's benefit rates which means a 4.5% reduction in the assistance they get. We would have done that as a wretched and dreadful thing to do if we were not given the money, because we cannot spend money we have not got. It does not mean we thought it was the right thing to do, or it was an acceptable thing to do. It would have been an appalling thing to do, but that is what we would have had to do if our general revenue budget was frozen. But it was not. We are going to have to address how we bridge that funding gap.

2485 And I really hope, I might be slightly tangential here, but this whole Assembly, having created that situation, can come together and creatively look at a package that can actually solve that. Because I think Deputy Kazantseva-Miller is right in saying that I am right, that it would be myopic if the only tool in our box was just to slash or delay capital spending projects. I think there does need to be a blend of revenue raising and –

I give way to Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you. I appreciate Deputy Roffey giving way.

2495 But would he agree with me, because once these benefits are set from 1st January, that said, they are set for the year and there cannot be any further amend to those rates set? So when Deputy Roffey talks about a blended approach, ESS budget would not be effectively in scope because the rates would be set. And the suggestion that I was making is that those rates could still be increased once we debate the mini-Budget, but not from 1st January, but from 1st March, which would be more in line with the spirit, **(A Member:** Hear, hear.) I think, of what he is trying to advocate, which is for the Assembly to take a blended and responsible approach in looking at all of our costs and expenditure and additional revenue generating measures.

Deputy Roffey: No, it is simply not correct to say that Income Support levels can only be adjusted in January. In fact, if Members think back, it was the other side of the equation, but because of the very high inflation during a cost-of-living crisis, we did actually increase them, I think, one time in October and one time in the middle of the year. They could be. I hope it is not a part of the blended reproaches knocking the poorest in the Island, but that will not be taken off the table in any way if people vote for this today. They will be able to put them down again, if that is what they choose to do. But as I say, I do not see other Committees saying, we are not going to start using and utilising our approved revenue budgets until after the Budget.

Deputy Soulsby was very interested in Family Allowance. And she was talking about whether or not the balance was the cheaper medical appointments, GP and A&E appointments for children, whether the cost balanced out with the reduction in Family Allowance. But there are two sides to that equation, of course. I am glad she states that it does at the moment, because what is in here is not really making Family Allowance in any point any more generous than it was this year. The Family Allowance is going up by RPIX, so it will be the same in real terms next year as it is this year. And also, the cap is going up by RPIX. So it will not be any more generous next year than this year.

And we do not want to see children charged more, but by contrast, the £25 has remained £25 throughout and therefore, it is becoming –

Sorry I give way to Deputy Soulsby.

Deputy Soulsby: I do appreciate Deputy Roffey giving way.

But the point is, more will be coming out of the States' coffers as a result of increasing the Family Allowance. If it balances now and you are going to be giving away more in terms of Family Allowance, then clearly we are going to have a negative situation.

Deputy Roffey: The amount that was saved was the amount that stopped it being paid at the time. None of those people are being ... In fact, what we have done over the last few years is bring down, in real terms, that cap for several years. We are excluding far more people now than we were when the States first approved it. We are not in any way diminishing the savings to the States that were agreed at that time.

One of the problems with means testing as opposed to affluence testing – and let me just explain this ... An affluence test, which is what is there at the moment, is really quite simple. It is almost self-administered. If people think they are going to earn more and therefore not qualify for Family Allowance, and we have affluence tests for a few other benefits as well, like Carer's Allowance, for instance, has an affluence test. The administration is almost none. People say, 'Well, I earn more than that. I am not going to claim it.' If they do claim it and they turn out to earn more then it has to be clawed back. But it really is incredibly simple.

Once you start getting down into middle Guernsey a little bit and far more people are excluded, then you have to have a means test rather than an affluence test, almost an Income Support style test. And that is administratively very complicated and expensive. I think if we got to that point, we would be expecting to certainly have more staff support, I am sure, P&R who look after staffing matters would be willing to do that, because ... We are now saying, we brought this down, we brought more and more people into the net every year for three years. It is reaching the point where it makes sense to stabilise that. But we are not trying to make it more generous than it was before. We are just keeping it the same in real terms. And do not forget that as well as excluding people, the level of Family Allowance has also been sacrificed over the years in order to fund other things. And therefore, it is really quite modest now.

People say, well, what is happening to our fertility rate and why have we got these demographic problems? I think just the amount of support we give to families in an expensive Island is incredibly modest. So I think I would be careful what you wish for. It will not be, a let us go and slit our wrists time, if that proposal is defeated but I think it would be very wrong, nevertheless.

Deputy Dyke, the residency requirement for long-term care insurance is five years, but that has to be re-examined, and that issue will form a part of the policy letter on SLAWS to come before the

2555 States early next year. Members will have a chance to debate that at that time. He is right that if people do not qualify for the long-term care insurance, then in theory, their social care needs could be paid for out of Income Support. But Income Support is a means-tested benefit. If they have got assets or if they have got a significant income, that is the first point they would have to come to.

2560 But we would be, just like Deputy Brouard cannot leave people dying because they have only been here two or three years and have not got any money, we cannot leave them without social care needs. It is vanishingly rare that this actually has to happen but if it did have to happen, then it would have to happen. We are a civilised community, we cannot leave people without access to the care requirements that they have.

2565 Deputy Murray, I think, and Deputy Le Tocq, I really urge, particularly Deputy Le Tocq because I know he is a man ... No, sir, I was going to say a man of great conscience. It makes it sound like I am saying Deputy Murray is not. I think they both are! *(Laughter)* I understand the point you are making, and I understand why, as Members of P&R, you feel the need to make it. And your frustration of the outcome from a couple of years ago. But I appeal to you, Deputy Bury is right, this is not a right starting point. It really is not. And I ask them to reconsider their indication that they might vote against this. And I urge all Members to vote for all of these Propositions.

2570

The Bailiff: Well, Members of the States, there are 12 Propositions. Deputy Queripel requested that each of them be taken as separate votes. Is that still your wish, Deputy Queripel?

2575 **Deputy Queripel:** It certainly is, sir.

The Bailiff: Thank you very much. In that case, we will have a vote on Proposition 1 only, please. Deputy Oliver.

2580 **Deputy Oliver:** Sir, do we need to do a special vote if we actually get Family Allowance for number 8?

The Bailiff: Yes. I suppose, technically speaking, you would need to declare that before you vote.

2585 **Deputy Oliver:** Can I declare I have three children?

The Bailiff: Yes.

A Member: I declare an interest, sir.

2590

Two Members: Yes.

2595 **The Bailiff:** Yes. Should we just have some standing up and we will have a quick run round. All those who get Family Allowance. Deputy Dudley-Owen, Deputy Blin, Deputy Oliver, Deputy Bury, Deputy Matthews, Deputy Taylor, Deputy Aldwell, Deputy Moakes, Deputy Meerveld, Deputy de Sausmarez. Which means that the rest of us are just too old to still benefit from these things. That is in relation, in particular, to Proposition 8.

Now, Members of the States, are you ready? Fastest finger first.
Deputy Leadbeater.

2600

Deputy Leadbeater: Sir, do I need to declare an interest because I claim part of a Carer's Allowance?

2605 **The Bailiff:** Yes, you can declare that before voting. Thank you. Anyone else for any more declarations at the moment?

Deputy Queripel: Sir, do pensioners have to declare it?

The Bailiff: No, I do not think they do, because I am not sure that we have got a pension in this one. The pensions was last time round, where we had a handful of people standing up saying, 'I get a pension.'

Okay are we ready? Proposition 1, on its own. I will invite the Greffier to open the voting, please.

There was a recorded vote.

Proposition 1

Carried – Pour 33, Contre 4, Ne vote pas 1, Did not vote 1, Absent 1

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

The Bailiff: In respect of Proposition 1, there voted in favour 33 Members; 4 Members voted against; 1 Member abstained; 2 Members did not participate in the vote. And therefore, I will declare Proposition 1 carried.

We move next to Proposition 2. And I will invite the Greffier to open the voting on Proposition 2.

There was a recorded vote.

Proposition 2

Carried – Pour 34, Contre 3, Ne vote pas 1, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Kazantseva-Miller, Sasha	Dyke, John	Inder, Neil	Prow, Robert
Blin, Chris	Le Tissier, Chris			

Brouard, Al	Murray, Bob
Burford, Yvonne	
Bury, Tina	
Cameron, Andy	
De Lisle, David	
De Sausmarez, Lindsay	
Dudley-Owen, Andrea	
Fairclough, Simon	
Falla, Steve	
Ferbrache, Peter	
Gabriel, Adrian	
Gollop, John	
Haskins, Sam	
Helyar, Mark	
Le Tocq, Jonathan	
Leadbeater, Marc	
Mahoney, David	
Matthews, Aidan	
McKenna, Liam	
Meerveld, Carl	
Moakes, Nick	
Oliver, Victoria	
Parkinson, Charles	
Queripel, Lester	
Roberts, Steve	
Roffey, Peter	
Snowdon, Alexander	
Soulsby, Heidi	
St Pier, Gavin	
Taylor, Andrew	
Trott, Lyndon	
Vermeulen, Simon	

2630 **The Bailiff:** In respect of Proposition 2, there voted in favour 34 Members; 3 Members voted against; 1 Member abstained; 2 Members not participating. I will declare Proposition 2 also carried.

We move next to Proposition 3 and I will invite the Greffier to open the voting on Proposition 3, please.

2635 *There was a recorded vote.*

Proposition 3

Carried – Pour 35, Contre 2, Ne vote pas 1, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Kazantseva-Miller, Sasha	Dyke, John	Inder, Neil	Prow, Robert
Blin, Chris	Mahoney, David			
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				

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

2640

The Bailiff: In respect of Proposition 3, there voted in favour 35 Members; 2 Members voted against; 1 Member abstained; 2 Members not participating. I declare that carried. If you are a betting man, you will go for 36 votes this time.

Proposition 4 next, please. And I will invite the Greffier to open the voting on Proposition 4.

2645

There was a recorded vote.

Proposition 4

Carried – Pour 32, Contre 5, Ne vote pas 1, Did not vote 1, Absent 1

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

2650 **The Bailiff:** In respect of Proposition 4, there voted in favour 32 Members; 5 Members voted against; 1 Member abstained; 2 Members not participating, but I will still declare it carried on that vote.

And now Proposition 5 and I will invite the Greffier to open the voting on Proposition 5, please.

There was a recorded vote.

2655

Proposition 5

Carried – Pour 33, Contre 4, Ne vote pas 1, Did not vote 1, Absent 1

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

2660 **The Bailiff:** On Proposition 5, there voted in favour 33 Members; 4 Members voted against; 1 Member abstained; 2 Members did not participate. I will declare Proposition 5 carried.

And in respect of Proposition 6, I will invite the Greffier to open the voting, please.

There was a recorded vote.

2665

Proposition 6

Carried – Pour 34, Contre 3, Ne vote pas 1, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Gollop, John	Dyke, John	Inder, Neil	Prow, Robert
Blin, Chris	Kazantseva-Miller, Sasha			
Brouard, Al	Le Tocq, Jonathan			
Burford, Yvonne				
Bury, Tina				

Cameron, Andy
 De Lisle, David
 De Sausmarez, Lindsay
 Dudley-Owen, Andrea
 Fairclough, Simon
 Falla, Steve
 Ferbrache, Peter
 Gabriel, Adrian
 Haskins, Sam
 Helyar, Mark
 Le Tissier, Chris
 Leadbeater, Marc
 Mahoney, David
 Matthews, Aidan
 McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Queripel, Lester
 Roberts, Steve
 Roffey, Peter
 Snowdon, Alexander
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

The Bailiff: In respect of Proposition 6, there voted in favour 34 Members; 3 Members voted against; 1 Member abstained; 2 Members not participating. I will declare Proposition 6 carried.

2670 We now turn to Proposition 7 and I will invite the Greffier to open the voting on Proposition 7, please.

There was a recorded vote.

2675 *Proposition 7*

Carried – Pour 36, Contre 2, Ne vote pas 0, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Le Tocq, Jonathan	None	Inder, Neil	Prow, Robert
Blin, Chris	Murray, Bob			
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				

McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Oliver, Victoria
 Parkinson, Charles
 Queripel, Lester
 Roberts, Steve
 Roffey, Peter
 Snowdon, Alexander
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

The Bailiff: In respect of Proposition 7, there voted in favour 36 Members; 2 Members voted against; no Member abstained; 2 Members did not participate. I will declare Proposition 7 carried.

2680 Now Proposition 8. And I will invite the Greffier to open the voting on Proposition 8, please.

There was a recorded vote.

Proposition 8

2685 *Carried – Pour 32, Contre 6, Ne vote pas 0, Did not vote 1, Absent 1*

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

The Bailiff: In respect of Proposition 8, there voted in favour 32 Members; 6 Members voted against; no Member abstained; 2 Members did not participate. I would declare Proposition 8 duly carried.

2690 And now Proposition 9 and I will invite the Greffier to open the voting on that Proposition, please.

There was a recorded vote.

2695 *Proposition 9*

Carried – Pour 23, Contre 14, Ne vote pas 1, Did not vote 1, Absent 1

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

2700 **The Bailiff:** On Proposition 9, there voted in favour 23 Members; 14 Members voted against; 1 Member abstained; 2 Members not participating. And therefore, I will declare Proposition 9 also duly carried.

We move to Proposition 10 and I will invite the Greffier to open the voting on Proposition 10, please.

There was a recorded vote.

2705

Proposition 10

Carried – Pour 35, Contre 1, Ne vote pas 2, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Kazantseva-Miller, Sasha	Aldwell, Sue	Inder, Neil	Prow, Robert
Brouard, Al		Dyke, John		
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Le Tissier, Chris				

Le Tocq, Jonathan
 Leadbeater, Marc
 Mahoney, David
 Matthews, Aidan
 McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Queripel, Lester
 Roberts, Steve
 Roffey, Peter
 Snowden, Alexander
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

2710 **The Bailiff:** In respect of Proposition 10, there voted in favour 35 Members; 1 Member voted against; 2 Members abstained; 2 Members did not participate. I will declare Proposition 10 carried.

Proposition 11 is the last substantive one. I will invite the Greffier to open the voting on Proposition 11, please.

There was a recorded vote.

2715

Proposition 11

Carried – Pour 35, Contre 2, Ne vote pas 1, Did not vote 1, Absent 1

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

Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

2720 **The Bailiff:** On Proposition 11, there voted in favour 35 Members; 2 Members voted against; 1 Member abstained; 2 Members not participating. And therefore, I will declare Proposition 11 also carried.

Proposition 12 is to direct the preparation of legislation for all those above decisions. And I will invite the Greffier to open the voting on Proposition 12, please.

2725 *There was a recorded vote.*

Proposition 12

Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Inder, Neil	Prow, Robert
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
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				
Queripel, Lester				
Roberts, Steve				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

2730 **The Bailiff:** On Proposition 12, there voted in favour 38 Members; no Member voted against; no Member abstained; 2 Members did not participate. And therefore, I will declare Proposition 12 also carried which means that all Propositions were duly carried. And Deputy Queripel was absolutely right: none of the votes were exactly the same and therefore that was the reason for doing it that way.

2735

Billet d'État XX

LEGISLATION LAID BEFORE THE STATES

The Police Complaints (Conduct Proceedings and Investigations) (Guernsey) (Amendment) Regulations, 2024;
The Customs and Excise (Dyed Fuel) (Relief and Drawback) (Guernsey and Alderney) (Amendment) Order, 2024;
The Immigration (Provision of Physical Data) Regulations, 2024;
The Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2024;
The Export Control (Military, Security, and Related Matters) (Bailiwick of Guernsey) (Amendment) Order, 2024;
The Customs (Rules of Origin: Claim Verification and Determination, and Record Keeping) Regulations, 2024;
The Methods of Valuation (Import Duty) (Amendment) Regulations, 2024;
The Plant Health Preserved Phytosanitary Conditions Regulations (Amendment) (Guernsey) Number 2 Regulations, 2024

The Bailiff: Greffier, can you mention the items of legislation being laid before the States at this meeting, please?

2740 **The States' Greffier:** Yes, sir. The following legislation is laid before the States: The Police Complaints (Conduct Proceedings and Investigations) (Guernsey) (Amendment) Regulations, 2024; The Customs and Excise (Dyed Fuel) (Relief and Drawback) (Guernsey and Alderney) (Amendment) Order, 2024; The Immigration (Provision of Physical Data) Regulations, 2024; The Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2024; The Export Control (Military, Security, and Related
2745 Matters) (Bailiwick of Guernsey) (Amendment) Order, 2024; The Customs (Rules of Origin: Claim Verification and Determination, and Record Keeping) Regulations, 2024; The Methods of Valuation (Import Duty) (Amendment) Regulations, 2024; The Plant Health Preserved Phytosanitary Conditions Regulations (Amendment) (Guernsey) Number 2 Regulations, 2024.

2750 **The Bailiff:** Members of the States, we will simply note that in respect of all those statutory instruments, they have been laid before this Meeting. I have not received any motions to annul any of them, but there is still an opportunity next time.
Next item please, Greffier.

COMMITTEE FOR HEALTH & SOCIAL CARE

1. Vaping Products (Enabling Provisions) (Guernsey) Law, 2024 – Proposition carried

Article 1.

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Vaping Products (Enabling Provisions) (Guernsey) Law, 2024", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

2755 **The States' Greffier:** Billet d'État XX, Article 1, the Committee for Health & Social Care – Vaping Products (Enabling Provisions) (Guernsey) Law, 2024.

The Bailiff: Is there anything you wish to say, Deputy Brouard, in opening debate on this?

Deputy Brouard: Yes, sir. Just briefly.

2760 Just to advise Members that this is the overarching Law that was being put in place to cover vaping products. This primary Law will give us wide-ranging powers to regulate the importation, advertisement, sale, supply and consumption of vapes by Ordinance of the States. And thanks to Deputy Prow's amendment, further prohibitions or restrictions by Regulations of the Committee for Health & Social Care.

2765 The drafting of the enabling Law is based on our tobacco legislation, which has successfully contributed to significant decreases in the number of people who smoke. We are similarly hopeful to have an impact on the number of people who vape. But, in particular, we want to stop the targeted advertising and sales to young people in Guernsey.

2770 It will be the subordinate legislation that will set out the prohibitions of selling vapes to children, introduce advertising restrictions, establish a retail licensing scheme and a ban of disposable vapes. This legislation has been drafted and our officers are beginning the work to consult with colleagues on other departments such as Environmental Health and Customs, before those drafts can be finalised and presented to the Committee.

2775 It is our intention to submit that legislation, the actual Ordinances, to the Assembly, before the end of the political term. And I would urge all Members to support this legislation before them today and then see the subordinate legislation when it returns to the Assembly next year.

Thank you, sir.

The Bailiff: Deputy Cameron.

2780

Deputy Cameron: Thank you, sir.

2785 Having previously raised concerns with the Health & Social Care Committee about vaping products and disposable vapes being sold to children, I welcome this new legislation. However, I remain deeply concerned about the addictive nature of these products and their impact on young people.

2790 The findings of the recently published Wellbeing Survey are alarming. It reports that 11% of respondents currently vape, double the figure from 2018. On our Island, 1 in 10 people now vape. Among those aged between 16 and 24, the figure rises dramatically, with 1 in 3 vaping. The 2022 Guernsey Young People survey revealed that 56% of girls in Year 10 reported vaping. Recently, I spoke to a group of 17-year-olds who participated in that survey. When I asked how many students in their year group they believed now vaped, the overwhelming response was the majority, with one student remarking they knew of only one person who did not vape.

2795 These numbers are concerning, not only because of the prevalence of vaping, but also due to its potential mental health implications. The Wellbeing Survey shows that vapers reported the highest levels of stress over the past year. Whether this stress leads people to vaping for relief, or whether vaping itself contributes to the stress remains unclear.

2800 Many vapers that I have spoken to describe how challenging it is to quit or even reduce their usage. The combination of the pleasant, sweet flavours and strong nicotine content make these devices highly addictive. For many, their first action in the morning is to reach for their vape, and it is also the last thing to do before going to sleep.

Could I ask Deputy Brouard, in his summing up, if he could address whether these statistics are a concern for his Committee? More importantly, what actions, if any, does HSC plan to take to address this growing problem?

Thank you.

2805

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you, sir.

I congratulate Deputy Brouard and his Committee on bringing this legislation before the States.
2810 It has been needed for some while to protect our young youngsters on the Island. And it is interesting to see – I watch other jurisdictions, how they legislate; the Isle of Man, Jersey and also the UK – that we are perhaps behind the curve on this. And as Deputy Cameron mentioned before, the single use vapes are being completely outlawed in the UK in June 2025. And also, if you are a youngster in the UK, you are never legally going to be able to smoke tobacco, a cigarette. It has
2815 being pushed out of that age group as they get older.

I fully commend Health & Social Care on this occasion with this amendment. I will be supporting it and I hope other Members do too.

The Bailiff: Deputy Gollop.

2820

Deputy Gollop: I have occasionally used vapes or been given them. But I generally have not taken up that particular issue.

I would say that, I think, at one point Guernsey was ahead of the curve, not just in tobacco legislation, but I think we are definitely ahead of Jersey with the legislation that is going through.
2825 And of course, I think the gestation of this started earlier than the UK. But the UK has, of course, more resources.

Deputy Cameron made a thoughtful speech about the effects of vaping. And from a clinical, medical, psychological point of view, we do not necessarily have total evidence of the bad or potentially bad, or maybe not so bad consequences of vaping, because they are new. And that, in
2830 itself, is a concern. But I think another one of Deputy Cameron's points is – it is a chicken and egg situation, really – whether these products help people with stress or distress or turmoil, or contribute to it. And I would say that that old-fashioned tobacco definitely does.

One area I would like Health & Social Care to do more work on, because I think it is important in other respects when we are talking about legislation and budgeting, is is there a relationship
2835 between people with short-term or long-term mental health conditions and the use or misuse or overuse of tobacco? And I would argue that there probably is, because I certainly know people with mental conditions who, for clinical or pharmaceutical reasons, do not take alcohol but do smoke or vape.

And I do remember, although, this might not be current policy, that a few years ago some health
2840 improvement advisers were going around saying that although vapes were not desirable, vapes could be used in certain premises or outside premises more than ... In fact, there is a place –

Deputy Mahoney: Point of order, sir.

2845

The Bailiff: Point of order, Deputy Mahoney.

Deputy Mahoney: It is just to test this, please. This is just for the legislation; this is just whether we should be approving this legislation. We seem to be kicking off a vaping debate again and its pros and the cons of it, rather than just ... the Proposition is very narrow to approve this legislation
2850 or not.

The Bailiff: I think it is permissible to debate vaping. It is not as permissible to debate tobacco products, except to the extent that they are included. Nicotine is included in vaping products. It is permissible to debate what is under consideration as a draft Projet de Loi and that includes going
2855 back to the elements that were debated when the policy was debated. Deputy Gollop can continue on that basis.

Deputy Gollop: Thank you, sir.

I certainly agree with your ruling. I think Deputy Vermeulen started talking about tobacco, as
2860 well.

I do not need to say any more. I just think that for the implementation of this legislation and further tweaks that might be made to it, one has to consider the relationship between the promotion of vapes in Public Health and the promotion or non-promotion of tobacco and have a clear policy for the future.

2865

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

2870

I do find it a little bit surprising that we are debating and the Committee is being asked if we are aware of the problems involved with vaping. Then clearly, we are (*Laughter*) because this is why we are bringing this to the Assembly. That is all I have to say.

I would like to thank Deputy Vermeulen for his support.

Thank you.

2875

Deputy Haskins: Sir, can I ask for Rule 26(1), please?

The Bailiff: Can I invite those Members who wish to speak in debate on this matter to stand in their places? Is it still your wish that I put a motion pursuant to Rule 26(1)?

2880

Deputy Haskins: I am afraid so.

The Bailiff: The motion is that there be no further debate other than hearing from the President in reply. Those in favour; for those against.

2885

Members voted Contre.

The Bailiff: I will declare that lost.

Deputy Gabriel.

2890

Deputy Gabriel: I will be very quick for Deputy Haskin's benefit, sir.

I will support this, and I thank the Committee for bringing it. One of the hidden problems that, not necessarily that the health disbenefits, but also the disposal of vapes have also proved a problem which we have seen at our waste transfer station. And also, the cost of getting rid of these products as well. So if, eventually, this enabling law comes into play and disposables are banned or not imported to Guernsey, then our waste solution might also have a solution on their hands as well.

2895

I thank the Committee for bringing it and I will be supporting it.

Thank you.

2900

The Bailiff: I will invite the President, Deputy Brouard, to reply to that debate, please.

Deputy Brouard: Thank you, sir. And thank you for the Members who have spoken.

I think Deputy Cameron kicked us off as asking, what are we going to do about it, and this is exactly this. And we are quite well advanced on working out the Ordinances which are going to support it which will then give it teeth to actually bring it into play. So, yes, very much.

2905

Thank you, Deputy Vermeulen, for his support. The strange thing is, it is one of these things, we have an Assembly, we have different hats on and we are very lucky we can wear different hats at different times, and I am probably as guilty as anybody but we say we want less Government, we want less this, we want less civil servants. But it is civil servants who do the donkey work on things like bringing things for vaping into power and they have brought this through very quickly for us. And also, the Law Officers: there is a stack of legislation we need to get through and again, this has been prioritised through.

2910

2915 Deputy Gollop, he wanted a clear policy from HSC on vaping and smoking. I can give it to him now. Give up! *(Laughter)* That is it. Do not do it. *Don't do it.* If you honestly think that somehow lighting with some sort of battery or a flame, some unknown products in some sort of jar, and then inhaling it in and then bringing it back out again is somehow going to be good then, good luck to you.

2920 The only time that I can think of where vaping may help is if it is doing something that is preventing you from something that is more harmful. If you are going from tobacco and heavy nicotine smoking to a vape as part of a reduction, then that is super. But the policy is absolutely clear, it is in place, I am giving it to you now: do not do it.

And, Deputy Gabriel, thank you for your support and very much concerned about the disposal of vapes and the batteries and all the work that goes in, in other countries, to put these products together. It is all using up resources which could be well-used elsewhere.

2925 Thank you all very much for the debate. And thank you, everybody who is supporting this.

The Bailiff: Well, it is a single Proposition as to whether you are minded to approve the draft Projet de Loi. And I will invite the Greffier to open the voting on that Proposition, please.

2930 *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	Helyar, Mark	Prow, Robert
Blin, Chris			Inder, Neil	
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
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				
Queripel, Lester				
Roberts, Steve				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: In respect of this Proposition, there voted in favour 37 Members; no Member voted against; no Member abstained; 3 Members did not participate in that vote. And therefore, I will declare the Proposition duly carried.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

2. The Social Insurance (Rates of Contribution and Benefits etc.) Ordinance, 2024 – Proposition carried

Article 2.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Social Insurance (Rates of Contributions and Benefits etc.) Ordinance, 2024" and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 2, the Committee for Employment & Social Security – Social Insurance (Rates of Contribution and Benefits etc.) Ordinance, 2024.

The Bailiff: Deputy Roffey, is there anything you wish to say in opening?

Deputy Roffey: Not really. This Ordinance gives effect to the decisions taken by Members in October.

The Bailiff: I do not see anyone leaping to their feet to debate this one. And therefore, I will simply put the Proposition to you, whether you are minded to approve this draft Ordinance, and ask the Greffier to open the voting, please.

There was a recorded vote.

Carried – Pour 36, Contre 0, Ne vote pas 0, Did not vote 3, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Helyar, Mark	Prow, Robert
Blin, Chris			Inder, Neil	
Brouard, Al			Parkinson, Charles	
Burford, Yvonne				
Bury, Tina				
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				
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
Queripel, Lester
Roberts, Steve
Roffey, Peter
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

2955 **The Bailiff:** On this Proposition, there voted in favour 36 Members; no Member voted against; no Member abstained; 4 Members did not participate in the vote. And therefore, I will declare that Proposition carried.

**3. Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2024 –
Proposition carried**

Article 3.

Whether they are of the opinion to approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2024" and to direct that the same shall have effect as an Ordinance of the States.

2960 **The States' Greffier:** Article 3, the Committee for Employment & Social Security – Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2024.

The Bailiff: Similarly, Deputy Roffey, is there anything you want to say?

2965 **Deputy Roffey:** This also puts into effect decisions taken in October. But in this case, as explained during that debate, they were very much put forward as a stopgap measure until we bring a policy letter on SLAWS early next year. But effectively, this just puts into law what Members have decided.

2970 **The Bailiff:** I do not see anyone rising to debate this draft Ordinance. And therefore, I will invite the Greffier to open the voting on the single Proposition, whether you are minded to approve it.

There was a recorded vote.

Carried – Pour 36, Contre 0, Ne vote pas 0, Did not vote 3, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Helyar, Mark	Prow, Robert
Blin, Chris			Inder, Neil	
Brouard, Al			Parkinson, Charles	
Burford, Yvonne				
Bury, Tina				
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
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
Queripel, Lester
Roberts, Steve
Roffey, Peter
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

2975

The Bailiff: In respect of this Proposition, there voted in favour 36 Members; no Member voted against; no Member abstained; 4 Members not participating in the vote. I will declare the Proposition duly carried since the Ordinance has been made.

STATES' TRADING SUPERVISORY BOARD

4. Waste Management Services (Charging) (Amendment) Ordinance, 2024 – Proposition carried

Article 4.

Whether they are of the opinion to approve the draft Ordinance entitled "The Waste Management Services (Charging) (Amendment) Ordinance, 2024" and to direct that the same shall have effect as an Ordinance of the States.

2980

The States' Greffier: Article 4, the States' Trading Supervisory Board – Waste Management Services (Charging) (Amendment) Ordinance, 2024.

The Bailiff: Deputy Roffey, you have got a different hat on this time. But is there anything you would like to say in opening this debate?

2985

Deputy Roffey: Yes, I do, sir.

This is an interesting one because the legislation, as it stands at the moment, says that we should be putting forward charges that will cover the projected cost of the Waste Strategy and we brought a policy letter aimed at doing just that. And understandably, States' Members did not like it very much and rejected it and decided that, if there was a shortfall, that general revenue should pick up that gap. So effectively, you instructed us to go against the legislation as it stands at the moment. This is changing the legislation so that we are no longer breaking the law on your behalf. I think is probably the best way of putting it.

2990

So I would be grateful if it would be passed.

2995 **The Bailiff:** Once again, I do not see any Member rising to debate this draft Ordinance. And therefore, I will invite the Greffier to open the voting as to whether you are minded to approve it.

There was a recorded vote.

3000 *Carried – Pour 34, Contre 0, Ne vote pas 2, Did not vote 3, Absent 1*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	Roberts, Steve	Helyar, Mark	Prow, Robert
Blin, Chris		Snowdon, Alexander	Inder, Neil	
Brouard, Al			Parkinson, Charles	
Burford, Yvonne				
Bury, Tina				
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				
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				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: In respect of this Proposition, there voted in favour 34 Members; no Member voted against; 2 Members abstained; 4 Members did not participate in the vote. But I will declare the Proposition duly carried.

POLICY & RESOURCES COMMITTEE

5. Superannuation Fund – Actuarial Valuation – Propositions carried

Article 5.

Whether, after consideration of the Policy Letter entitled 'Superannuation Fund - Actuarial Valuation', dated 7 October 2024, they are of the opinion:- 1. To agree that the base level rate of employer contributions in respect of the Combined Pool of the States of Guernsey Superannuation Fund be decreased to 7.5% of pensionable pay with effect from 1 January 2024 with additional

contributions payable in respect of the special benefit groups as set out in Appendix III. 2. To agree that the employer contribution rate for Guernsey Electricity Limited be decreased to 1.5% with effect from 1 January 2025.

3005 **The States' Greffier:** Article 5, the Policy & Resources Committee – Superannuation Fund – Actuarial Valuation.

3010 **The Bailiff:** I will invite the President of the Committee, Deputy Trott, to open the debate, please.

Deputy Trott: Thank you, sir.

The purpose of this policy letter is to set out before the States the latest actuarial valuation of the Superannuation Fund as of 31st December 2023, prepared by BWCI Consulting Limited, a firm of independent actuaries.

3015 Sir, for the avoidance of doubt, this Report deals solely with the pension benefits for public sector employees, Guernsey Electricity Limited and States' Members. And there is no impact on the States' Pension Fund by the Guernsey Insurance Fund, administered by the Committee for Employment & Social Security.

3020 Sir, as employer, the States currently expects to make contributions of approximately £29.6 million per annum into the combined pool. A reduction in the contribution rate to 7.5%, which is what is proposed, would reduce this amount by approximately £8 million per hour ... per annum (*Laughter*) Yes, if only. *Per annum!* At the rate the STSB spends, we need that sort of – In all seriousness, sir, £29.6 million at 7.5% sees a reduction of £8 million per annum, which is, of course, a benefit to general revenue.

3025 The overall value of the Superannuation Fund on said date, 31st December 2023, was just under £1 million under £1.6 billion. There is a graph, a table rather, just above paragraph 1.15 that shows that the combined pool has a funding ratio of over 99%. At Guernsey Electricity, 165-plus percent, and States' Members pool, of which I am not a member, sir, has a funding rate of just under 89%.

3030 I think the Propositions are fairly simple. I have had no advance notice of any technical questions, sir, from any Members, and therefore, I so move.

The Bailiff: Well, nobody seems to want to debate these two Propositions.
Oh, Deputy Gabriel, do you want to speak?

3035 **Deputy Gabriel:** Only to declare an interest, sir. Being an ex-civil servant, I do have an entitlement to a pension when I reach that age.

The Bailiff: Okay.
Deputy Roffey.

3040 **Deputy Roffey:** I just want to declare an interest on the table that Deputy Trott referred to. I am part of ... I am a liability! I am part of the 3.8. I am not in receipt of a States' Members' pension, because you do not get them when you are still serving in the States, but I think I will get a pittance of some sort in about eight months' time. So I thought I would better declare that.

3045 **Deputy Ferbrache:** ...*[Inaudible]*

The Bailiff: Deputy Ferbrache declares an interest, yes. Deputy Brouard and Deputy de Lisle.
And Deputy Matthews wants to speak, do you?

3050 **Deputy Matthews:** No, just declare an interest, sir, as a former member of the Public Sector Scheme.

The Bailiff: Deputy Gollop, what are you going to do?

3055

Deputy Gollop: I transferred stored up States' Members' pension to an actuarial firm so I probably do not have an interest to declare.

I will just make a very short speech. In view of all the issues we have debated this week and two weeks ago, would the President of Policy & Resources not agree that from a taxpayer or general revenue perspective, this is a good news story?

3060

The Bailiff: Well, nobody else is rising. Deputy Trott to reply to Deputy Gollop.

Deputy Trott: I agree with Deputy Gollop, sir.

3065

The Bailiff: Is there any request that the two Propositions be taken separately? In which case, if nobody wants to vote differently on the two, I will invite the Greffier to open voting on the two Propositions taken together.

3070

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	Helyar, Mark	Prow, Robert
Blin, Chris			Inder, Neil	
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
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				
Queripel, Lester				
Roberts, Steve				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

3075 **The Bailiff:** The voting on the two Propositions is as follows, 37 Members voted in favour; no Member voted against; no Member abstained; 3 Members did not participate in the vote. And therefore, I will declare both Propositions duly carried.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

6. Polling Stations and Postal Voting – Proposition carried

Article 6.

To delete Proposition 1 and replace with the following Proposition: "1. To agree that for the 2025 General Election: i. There will be two "super-polling stations" at Beau Sejour (Dave Ferguson Hall) and Styx Community Centre open to any eligible voter; ii. There shall be two days of advance polling at the two "super-polling stations" referred to in Proposition 1. i., one weekend polling day on Sunday 15th June and one weekday polling day on Tuesday 17th June; iii. The following polling stations shall also be "super-polling stations" but open on Wednesday 18th June: Beau Sejour (Dave Ferguson Hall) Styx Community Centre Castel Douzaine Room St Martin's Parish Hall St Sampsons Community Hall St Peter Port Constables' Office St Andrew's Douzaine Room; iv The following polling stations shall be open on Wednesday 18th June only for parishioners of the Vale: Vale Douzaine Room; and Les Maingys"

3080 **The States' Greffier:** Article 6, States' Assembly & Constitution Committee – Polling Stations and Postal Voting.

The Bailiff: And I invite the President, Deputy Meerveld, to open the debate.

Deputy Meerveld: Thank you, sir.

3085 Well I thought this was going to be a very simple policy letter that would just lay out some procedures and would have very little controversy attached to it. (**A Member:** Hear, hear.) But I will save my further comments until we have heard the amendment of the 'Declaration of Independence of the Vale' coming up (*Laughter*) shortly.

3090 **The Bailiff:** Well, there has been one amendment submitted. And, Deputy Le Tissier, is it your wish to move Amendment 1?

Deputy Le Tissier: It is, sir.

3095 **The Bailiff:** Thank you very much. Please do so.

Amendment

To delete Proposition 1 and replace with the following proposition:

"1. To agree that for the 2025 General Election:

i. There will be two "super-polling stations" at Beau Sejour (Dave Ferguson Hall) and Styx Community centre open to any eligible voter;

ii. There shall be two days of advance polling at the two "super-polling stations" referred to in Proposition 1. i., one weekend polling day on Sunday 15th June and one weekday polling day on Tuesday 17th June;

iii. The following polling stations shall also be "super-polling stations" but open on Wednesday 18th June: Beau Sejour (Dave Ferguson Hall) Styx Community Centre Castel Douzaine Room St

Martin's Parish Hall St Sampsons Community Hall St Peter Port Constables Office St Andrew's Douzaine Room;

iv The following polling stations shall be open on Wednesday 18th June only for parishioners of the Vale: Vale Douzaine Room; and Les Maingys"

Deputy Le Tissier: Thank you, sir.

Why have I decided to bring this amendment? In my mind, it is just housekeeping. And I do not think it is contentious because it only affects the Vale. That is my view anyway. And I would like to thank Deputy Ferbrache for seconding this amendment.

When I saw the SACC policy letter, I was quite surprised to see that the long-established Vale Douzaine Room was no longer on the list of polling stations. Voting at the Vale Douzaine Room has been a tradition for a very long time, including the last Island-wide voting election in 2020. And prior to that, the parish-based general elections going back over the years.

There has been a little bit of comment in the media, and I have to say, some of it is inaccurate. Such as the article in yesterday's *Guernsey Press*. Deputy St Pier, I do not want to pick on him, but this is the one that springs to mind. The Vale did not opt out, according to parish officials. I would just like to set that straight.

The reason I brought this amendment, and it was at the express wish of the Douzaine and the Members present at a recent parish meeting, was that most people in the Vale live in the larger part of the parish, that is the GY3 area in the north. The SACC proposals for Les Maingys Activity Centre is in GY6, the far end. Or put another way, the estranged part of the Vale, and it makes it more difficult for the less mobile and elderly to get to a polling station.

I checked the buses and it is not easy and it is time consuming to get to Les Maingys and back. When I Googled it, you can go via Town and Grandes Rocques. That takes over an hour. Or via L'ancrese and then a 92 to Portinfer and walk. I did not measure how far, but it looks a fair distance. And that is 40 minutes each way. It is not as though people can go to St Sampson's polling station because it is just as far away as Les Maingys, if not more. And I think it is actually closer to people in St Peter Port.

I am sure we all agree, well, I hope we all agree, that we want to see the maximum turnout of voters next June (**A Member:** Hear, hear.) to ensure the democratic process is the best we can make it. Putting this unnecessary extra impediment for some voters in the north, or as Deputy Meerveld says, the Independent Republic of the Vale. Just, to me, it makes no sense. And it may actually disenfranchise some that want to vote in person rather than by post.

The Douzaine have explained to me that the parish officials have been given limited input into the polling stations proposed for the election, And I think even the policy letter hints that the proposals did not receive universal acclaim from the parishes, widely supportive. Well, it was not unanimous, at least in the Vale's opinion. And the Vale's opinion did not make the cut.

I am told the parish was not given any acceptable options. The only question was, do they want to have a super polling station in the parish? They did not, but the other option of having none at all was even worse. So Les Maingys it was.

As one Member on the Douzaine commented, if the States wants a super polling station, they can man it. And I will come back to manning the resources in a moment.

We had a parish meeting recently and there was a show of hands and I believe it was unanimous, that the people, and there were about 50 people there, between 45 and 50, all wanted the Vale Douzaine Room to be open on polling day. Not a super polling station, just a return to the previous elections. Les Maingys can remain as a single day Vale-only station to provide more choice.

There is the question, as I mentioned earlier, of resource. The resource issues for running a super polling station are quite onerous. I have been told by one officer who, incidentally, was working from home in the UK and quite difficult to get hold of, that the States do expect the parishes to provide the required number of people to man the stations. In the case of Beau Séjour and Styx and the other super polling stations, that is a minimum of 10 people with 10 tables, one for each parish.

And of course, they all need to work shifts, because you cannot expect one person to stay the whole day. And then they have got to do it for three days. Well, the Vale did not like that very much.

3145 I was also told by the officer that if parishes cannot provide that level of resource, then the States will be asking for volunteers from within the Civil Service. I am not sure if they are going to be paid for that. But if that does not work and they do not have enough volunteers, then charities will be approached; and if that is still not enough, then they will open up to members of the public. It seems to me that the concerns expressed by the Constables of the Vale are quite well founded.

3150 As I was in attendance at the meeting, I was happy to oblige and drafted this amendment. Because we are all Island-wide Deputies, I did ask each of the other parishes if they wanted to piggyback on the Vale amendment. Several replied they were content. Some did not reply. Being out of time, I concentrated solely on the Vale, as they had the worst outcome under the SACC proposals.

3155 As was said to me this morning, the Valeites are not special. Other parishes could have joined in (**A Member:** Hear, hear.) but they chose not to.

Winding up, I have spoken with the SACC President a couple of weeks ago, and I believe he was relaxed about an amendment like this. This really is a non-contentious amendment. It only affects the Vale and is at the express wish of the Vale parishioners. Everything else is unchanged. I hope
3160 we can quickly let this amendment pass and move on to other business.

Thank you.

The Bailiff: Deputy. Ferbrache, do you formally second this amendment?

3165 **Deputy Ferbrache:** I do, sir.

The Bailiff: Thank you very much.
Deputy Aldwell.

3170 **Deputy Aldwell:** Thank you, sir.

I just thought that Douzaines have been running elections for over 100 years. If the Vale want to have their polling station at their Douzaines, well, so be it. They are going to be running it. So I think, let's keep the peace. I have been running and working at polling stations since 2008 and this evening, if no one else has voted, St Peter Port is open until eight o'clock tonight and it would be
3175 very good if you can go and vote there.

I am very much for this amendment. If the Vale want to hold it at their Douzaines, then let it be. Thank you.

The Bailiff: Deputy McKenna.

3180 **Deputy McKenna:** Sir, I am on the SAC Committee.

The Vale Douzaine are a wonderful group of people and I am sure they will agree, if Les Maingys can be left open, fine. But the Vale Douzaine, they have been running elections in the parish elections for over 100 years. It is a wonderful lady who is President of the L'Ancrese Commons
3185 Council, Rosemary Henry. And Rosemary is also chair of the Vale Douzaine. They will man it. It will cost us nothing. It is just an extra facility.

There is the letter of the law and the spirit of the law. And I am sure Deputy Ferbrache would agree with me. This is a spirit of the law. This is what we are about. We are a community. As a community, let's let the Vale have the Douzaine. They can still have the Les Maingys. And by the
3190 way, sir, Les Maingys, if you try to get to it, you get to the Hampshire Lodge, you turn left and it is a brilliant one-way road that happens to be for two-way and there is granite on both sides and it is difficult to get to, it is difficult to park, but the Vale Douzaine ...

The reason I say it is difficult to park, sir, is because the CCF hold their training days, which my sons are involved in, and there are dozens and dozens of cars. There is another business, or two

3195 businesses running there. It can be very difficult to park there. What I am saying is the Vale Douzaine is perfect. It is a great community effort. I think say to Rosemary and everybody at the Vale Douzaine, yes, fantastic, if you are going to man it, let's do it. And I am sure SACC would be in agreement. *(Laughter)*

3200 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

I find it an interesting amendment to put in a specific polling station for a parish when its Island-wide voting. But I am sure that really does not matter.

3205 But interestingly, if, thanks to the wonders of AI and Co-Pilot, it is interesting to see how many voters turned up to all the various polling stations. And it is clear that the Vale Douzaine came pretty much at the bottom. I have not got Les Maingys, but 569 voters. I think the next one up was St Andrew's Douzaine on over a thousand. Yes, definitely, indeed. The highest was Beau Séjour at 2,267.

3210 But of course, we also know, and I hear what Deputy Le Tissier is saying about the need for people to get to their polling station. But we know, certainly, the polling stations were so much quieter at the last election because there were so many people undertook postal voting. And for those people, where it is difficult for them to get to the polling station, it has absolutely encouraged and support people for doing that. I will give way to Deputy Meerveld.

3215

Deputy Meerveld: I thank Deputy Soulsby for giving way.

I would just like to also add to that, of course, all these polling stations proposed by SACC are now super polling stations where anybody from any parish can go to whichever one is convenient and vote. This amendment restricts one polling station to only the parishioners of that parish.

3220

Deputy Soulsby: Indeed, so which it is the strange element of this.

3225 The one thing it does say, 'There are no financial implications to the States of Guernsey in carrying the proposal into effect.' I do appreciate that we use volunteers for voting purposes, and when I did the observation training for the UK election some people there were astounded that we should be using volunteers at all, and it was such an important role that we should be paying people. But I would have thought there must be some financial implications of this, if only to have to duplicate certain materials. And I would have thought, and I would hope, that members of staff who are doing this work will be paid to do it. But I would be interested to hear from SACC what they think.

3230 I do not mind if they want it, but I would like to know the actual cost implications.
Thank you.

The Bailiff: Deputy Roffey.

3235 **Deputy Roffey:** I have got no objection, really, to the Vale Douzaine Room being a polling station. I have very fond memories of elections at the Vale Douzaine Room. And I can see that people want to vote in in person and if they live at Bordeaux or L'Ancrese, at the moment the smorgasbord of polling stations means they would have to go quite a long way to vote.

3240 The bit that confuses me, though, is why demote, in this amendment, the Les Maingys from being a super polling station to a Vale residents-only polling station: everybody else keep out. Because people talk about how difficult it is to get to the Les Maingys, but it depends where you live, doesn't it? Everything is a long way away if it is the other end of the Island, not if it is down the road from you.

3245 And the Les Maingys, because it is out in ... *[Inaudible]* is actually very close to lots of people who live in other parishes. And they will certainly be inconvenienced by having to travel across the Island to find a suitable polling station where they can vote so that is the bit I really do not like, and

I would like Deputy Le Tissier to address that. If all he was doing was making an extra polling station at the Douzaine Room ... it is a bit weird in an Island-wide vote to say, just for Vale people. But quirkiness is, *vive la difference*, in a way.

3250 But I think you are going to be disadvantaging people from the north-ish-west of the Island, near the west coast, etc. who do not live in the Vale, but for whom this was going to be by far their most convenient polling station to get to.

The Bailiff: Deputy Ferbrache.

3255

Deputy Ferbrache: Sir, I will let Deputy Le Tissier deal with the disenfranchisement of the general voters, as it were.

3260 But goodness me, I am glad sometimes we have got the ... *[Inaudible]* of Deputy McKenna. It lifts my spirits! *(Laughter)* The only thing is, he mentioned the Elizabeth College CCF. I am one of its most non-distinguished ex-members, so we will move on from that.

3265 But in connection with this, the Vale Douzaine want it. The Vale people want it. Deputy Soulsby – I thought in a, I would have to say, slightly sour speech really, I have got to say – was saying, in relation, with only 563 people or whatever the number was used the Vale Douzaine Room last time; that is actually quite a lot of people I would have thought. And to help Deputy Aldwell, I have already voted at this election so she will not be seeing me tonight.

But in relation to this, for goodness me, we are quirky. We are an Island. We are different. This is such an old-fashioned amendment, if I can call it that. And some of us are very old, and we would also like to be fashioned. So I am going to vote for this amendment.

3270 **Deputy Gabriel:** Rule 26(1), sir.

The Bailiff: Can I invite those Members who wish to speak on this amendment to stand in their places? Is it still your wish that I put a motion pursuant to Rule 26(1)?

3275 **Deputy Gabriel:** Yes, please, sir.

The Bailiff: Well, the motion is that there be no further debate, other than hearing from Deputy Meerveld as the President of the States' Assembly & Constitution Committee and Deputy Le Tissier. Those in favour; those against.

3280

Some Members voted Pour, others voted Contre.

The Bailiff: You might have to get a motion up and have a vote on that, because that sounded quite close to me. And I will invite the Greffier to open the voting on a recorded vote, please.

3285

There was a recorded vote.

Rule 26(1)

Carried – Pour 17, Contre 15, Ne vote pas 4, Did not vote 3, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Brouard, Al	Aldwell, Sue	Helyar, Mark	Prow, Robert
Cameron, Andy	Burford, Yvonne	Dudley-Owen, Andrea	Leadbeater, Marc	
Dyke, John	Bury, Tina	Le Tissier, Chris	Snowdon, Alexander	
Ferbrache, Peter	De Lisle, David	Soulsby, Heidi		
Inder, Neil	De Sausmarez, Lindsay			
Le Tocq, Jonathan	Fairclough, Simon			
Mahoney, David	Falla, Steve			
McKenna, Liam	Gabriel, Adrian			
Moakes, Nick	Gollop, John			

Murray, Bob	Haskins, Sam
Oliver, Victoria	Kazantseva-Miller, Sasha
Parkinson, Charles	Matthews, Aidan
Queripel, Lester	Meerveld, Carl
Roberts, Steve	Roffey, Peter
Taylor, Andrew	St Pier, Gavin
Trott, Lyndon	
Vermeulen, Simon	

3290

The Bailiff: The voting on the motion pursuant to Rule 26(1) was there voted in favour 17 Members; 15 Members voted against; 4 Members abstained; 4 Members did not participate. And therefore, I will declare it carried and turn to Deputy Meerveld, if he wishes to do so, to speak on behalf of the Committee.

3295

Deputy Meerveld: Thank you, sir. I definitely wish to.

3300

It is quite true that Deputy Le Tissier approached me a couple of weeks ago and said that there was an interest from the Vale in hosting a polling station, and I said we would be quite relaxed about that on the assumption that it is going to be a super polling station. And that the Vale Douzaine would agree to undergo the training that was suggested by the Commission. Last time they looked at our electoral system, one of the recommendations was that they needed suitable training. And I did also raise the point that the Vale Douzaine had been approached on numerous occasions, asking them if they would like to run a polling station, just as every other parish, and several parishes have accepted that responsibility. I have here a note from the officers. SACC was not consulted on this amendment. The first we saw of it was three o'clock yesterday when it was issued to all Members so we have not had a chance to really do a proper analysis of speech. But there has been an exchange of emails, including a background on how the Douzaines were approached on this issue starting back in September 2023, when through the parish working group, these principles were proposed to these ideas about these super polling stations to the parishes. And again, on a subsequent meeting on 23rd November.

3305

3310

It was outlined at the 23rd November Meeting but the plan was to remove any requirements for people to vote in polling stations in a parish where they live. And there would be a small number of large super polling stations, plus some smaller parish polling stations, which would be open to all voters. This did not receive much feedback but the general feeling was that Members were supportive of the suggestions.

3315

3320

The 'name deleted' represented the Vale in November 2023, when this was outlined. An updated paper outlining the proposal was then shared with the Douzaines in mid-April 2024 via, I will not mention the name again. The parish representatives for the 2025 Election asked for the Douzaines to consider and discuss the possibilities and proposals and feedback by 3rd May. The initial feedback from the Vale was that they were happy for the Douzaine Room to be used, but they would struggle to man additional tables without extra support. And they had strong feelings against the mandatory training.

3325

The Vale then later provided further feedback that they felt the proposal to open the Vale Douzaine Room as a large super polling station on the three polling days was unworkable and excessive, as they did not feel the premises could accommodate the footfall and they did not want the Douzaine Room out of action for other uses for that long. So we advised that we would consider an alternative venue in the Vale.

3330

The Douzaine Liaison Group, formerly the PWG, was then advised on 13th September 2024 of the plans agreed by SACC and put forward in the policy letter, and that the meeting was attended by 'name deleted' representing the Vale. This received no comment from the Vale, that they wanted the Douzaine Room to be open, or had a problem with the co-location of Les Maingys.

This proposal not only creates one polling station on the whole Island, where only one parish's residents can go to it – (**A Member:** Two.) Sorry, two. But it also removes one of the pre-voting stations where people can go early. The north would no longer have a polling station where people

3335 could go in advance of the polling day, the actual election date. It breaks with the whole principle of Island-wide voting.

3340 The fact that we had a combination of these last time round, purely because it was a last minute, a very short election at very short notice, where we had parishes and super polling stations. But if we are moving to Island-wide voting, as we have, then we have one parish that wants to run a polling station just for its residents. What about residents who moved from somewhere else in the Island and are not on the register in Vale yet? They will go to the Vale parish polling station and will not be able to vote. We have got to run a separate system to support that, because we are setting up a super polling station system, where each polling station can verify who has voted where across all of them, with the exception of the Vale.

3345 And the Vale seems reluctant to attend the mandatory training that has been put onto us by the examiners, who suggested that we have that standard of training to create commonality in the service and approach at each polling station.

3350 So whilst I would welcome the Vale, or would have welcomed, because we are at the deadline now for approving the policy letter. If this amendment had come through to say we want to make the Vale a super polling station, I would be fine. But as it stands, I cannot support this. And I think Deputy McKenna has not read necessarily all the emails from the Committee.

I will give way to Deputy Burford.

Deputy Burford: Yes, before the Deputy finishes, I just wanted to make one other point.

3355 I think it is going to be extremely confusing, because across the Island, people will be realising that it is generally super polling stations and that they can go anywhere. And their friends would say, 'Oh no, you do not need to go to St Saviours. When you are up at the shops up there, you can go there.' And the general feeling will be, I can vote anywhere. And they pitch up at the Vale and say, 'Oh, sorry, this is only if you live in the Vale.' In which case, are they really going to bother to go to another polling station? And that is my concern, that a lot of people are going to be really rather annoyed about this. And it may well deter them from voting, because they will have made a journey and just be told, 'No, sorry, this is just for one tenth of the Island,' in terms of the number of parishes. I think that really is a concern.

3365 And the only other point to say is that SACC, the people doing the election, have said that resource will be provided. There is no requirement to provide all the officers to man. If you cannot do it as a parish, it will be provided for you. There is really no reason, from a manning point of view that the Vale Douzaine could not have been used as a super polling station.

Thank you.

3370 **Deputy Meerveld:** And I think it is just worth adding on to that. As Deputy Burford has said, resources can be provided, but it is the Vale Douzaine who actually said, 'We do not want our Douzaine Room utilised for that length of time. We do not think we can handle that footfall.' Those were the messages we got. If they had engaged with us just a few days ago and said, 'We are willing to do a super polling station and we are willing to man it or not man it. But we are willing to comply with the training and everything else,' SACC was more than happy to accept that. But I cannot support and the majority of my Committee –

I give way to Deputy St Pier.

Deputy St Pier: I am grateful to the President for giving way.

3380 Just a couple of other points which have come up during the debate which I think are worth addressing. Of course, it is intended that there will be a traffic management system around Les Maingys, to address Deputy McKenna's point.

3385 As Deputy Meerveld has said, there is no expectation that parishes will find the resources for the polling stations. I think, what has not come through in this debate is the recognition that our electoral system has fundamentally changed from a parish district system to an Island-wide system. And therefore, our general elections are no longer managed at a parish level. They are effectively

managed by the States of Guernsey. And in fact, the States' Assembly & Constitution Committee has recognised that that is an item of business that needs to be considered properly by the next term in relation to having some independent electoral commission rather than the States running the election. But it is fundamentally different. We are not running parish elections anymore.

And the final point is Deputy Soulsby's question in relation to costs. There will be some additional expenditure required which will fall again on taxpayers in the States in terms of publication of additional materials. And indeed, of course, the use and payment for the space, the use of the space as well. Now we have not had time to quantify that additional cost, but there will be an additional cost.

Deputy Meerveld: I thank Deputies Burford and St Pier for their interjection. And I ask Members, I would love to see the polling station at the Vale Douzaine if it had been done properly. But I cannot support this amendment and I ask you not to do so either.

The Bailiff: I will turn to the proposer of this amendment, Deputy Le Tissier, to reply to the debate on it, please.

Deputy Le Tissier: Thank you, sir.

Well, a short debate so there is not much to reply to, but I do have some points.

Deputy Aldwell, I think she was supportive of it, to keep the peace as she said. *(Laughter)* Deputy McKenna, it is the spirit of the law, let them have it. The Vale Douzaine Room is very centrally located and perfect. Deputy Soulsby, yes, she thought it was strange and she said that people that cannot get to the polling station can use postal. Yes, sure, they can and that is true, but a lot of people, especially the elderly, want to actually go to a physical station.

Deputy Roffey, I think he was broadly supportive but – *(Interjection by Deputy Roffey)* No? Alright. He mentioned resources for the Douzaine. A lot of people do not like getting to Les Maingys. And I think he also said that it was not very well used. Deputy Ferbrache, yes, thought it was a good idea. We are a little bit quirky.

And then we come on to what Deputy Meerveld said. He quoted that the Douzaine were not very keen on doing the training. I think that referred to that they did not want to do the three days at Les Maingys and when they were approached – and this is the information that has come from the Constables – it was only on the option of a three-day, or possibly one-day but I will say three, super polling station. And it was at Les Maingys.

Deputy Meerveld: Point of correction.

The Bailiff: Point of correction, Deputy Meerveld.

Deputy Meerveld: Thank you.

The Vale expressed a reluctance to do the mandatory training which we are requiring of all people manning the polling stations as per the recommendations from external examiners. And also, I do not think there was ever any issue of whether or not they had a two-day or three-day. It would have been at their discretion if they had approached us and engaged in the conversation that we had started with them over a year before.

Thank you, sir.

The Bailiff: Deputy Le Tissier to continue.

Deputy Le Tissier: Thank you.

Well, I can only repeat what the Douzaine said to me and as the late Queen said, 'Recollections may differ.' But it comes really back to the resource issue. Now I think it was Deputy St Pier who said that the States would provide the resources. Unfortunately, that message does not seem to

have got through to all, as when I spoke to one of the civil servants organising this, he was quite clear. He said that the expectation was that the first port of call would be the Douzaine, the parishes. There we are.

Deputy Burford, anti. Yes, fine. It may deter voters. Of course, one cannot exclude this as a possibility but I turn that argument round to something that SACC have said: you have got postal voting. So if they really cannot get to a super polling station, then obviously, they can do postal voting.

I think that covered everyone's contribution. So I would urge you, for the sake of –
I will give way.

Deputy Leadbeater: Thank you, Deputy Le Tissier for giving way. He obviously is just about to wrap up, but I do not think he covered the point that was raised by Deputy Roffey re Les Maingys being downgraded, effectively, from a super station to otherwise. Was that deliberate or was that an oversight to have that downgraded? So if you could perhaps answer that.

Thank you.

Deputy Le Tissier: Thank you.

It certainly was not an oversight. It was down to the Douzaines having to resource the super polling station at Les Maingys. I know that there is going to be some disagreement about who said what, but that was the understanding of the Douzaine, they would have to resource it. And that is quite a number of people required.

Deputy Burford: Point of correction, please.

The Bailiff: Point of correction, Deputy Burford.

Deputy Burford: Thank you, sir.

Just to put this straight, and I think, in fact, Deputy Le Tissier used the words, 'first port of call'. The first port of call is to the polling station. The second port of call, the third point of call goes on to other organisations. And ultimately, the States will ensure that it is manned. It is not a question of it not being able to be manned.

The Bailiff: Deputy Le Tissier.

Deputy Le Tissier: I do not think I implied that it would never be manned. I was just repeating the order of call: the Douzaines, the Civil Service, charities and then the general public. I do not, for a moment, think they would get to the general public, but that is what I was told by the civil servant.

Probably, the debate has gone on too long (**A Member:** Hear, hear.) so I would just urge you to support this to keep the Vale parishioners happy.

Thank you. (*Laughter*)

The Bailiff: Members of the States, we come to the vote on the amendment, which, if successful, will replace Proposition 1 in the Committee's Propositions, proposed by Deputy Le Tissier, seconded by Deputy Ferbrache. And I will invite the Greffier to open the voting on that amendment, please.

There was a recorded vote.

Amendment

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

Pour

Dyke, John
Ferbrache, Peter

Contre

Aldwell, Sue
Blin, Chris

Ne vote pas

Roberts, Steve
Snowdon, Alexander

Did not vote

Helyar, Mark

Absent

Prow, Robert

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

3490 **The Bailiff:** On the amendment proposed by Deputy Le Tissier, seconded by Deputy Ferbrache, there voted in favour 10 Members; there voted against 26 Members; 2 Members abstained; 2 Members did not participate. And therefore, I will declare it lost. Which means that we are left with the original Propositions from the Committee.

3495 Does anyone wish to speak in general debate? On the basis that nobody is rising to make any comments in general debate, there is nothing for the President to reply to. Does anyone wish to have the Propositions put to you separately or can I put them to you together? No. Thank you very much. In that case, I will invite the Greffier to open the voting on all three Propositions taken together.

3500 *There was a recorded vote.*

Carried – Pour 35, Contre 1, Ne vote pas 2, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Le Tissier, Chris	Roberts, Steve	Helyar, Mark	Prow, Robert
Blin, Chris		Snowdon, Alexander		
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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 Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				

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

The Bailiff: In respect of those three Propositions, there voted in favour 35 Members; 1 Member voted against; 2 Members abstained; 2 Members did not participate. And therefore, I will declare all three Propositions carried.

COMMITTEE FOR HEALTH & SOCIAL CARE

7. Review of the Implementation of NICE Technology Appraisal Drugs, Treatments and Devices, and Future Funding Options – Debate commenced

Article 7.

Whether, after consideration of the Policy Letter entitled "Review of the Implementation of NICE Technology Appraisal Drugs, Treatments and Devices, and Future Funding Options," dated 7th October, 2024 they are of the opinion:- 1. To re-affirm the earlier decision of the States, in principle, to adopt, on a non-statutory basis, a policy of funding drugs and treatments in receipt of a Technology Appraisal ("TA") from the National Institute for Health and Care Excellence ("NICE"), on the basis that: i. in 2025 and thereafter, the position of funding NICE TAs to an ICER value up to £40,000 shall be maintained; and ii. the move towards funding NICE TA drugs and treatments with an ICER value above £40,000 should happen in stages, such that funding of NICE TAs with an ICER value of £40,000 and above will be implemented incrementally on the recommendation of an expert multi-disciplinary team from 2026 onwards, subject to the availability of funding and resources.

3505

The States' Greffier: Committee for Health & Social Care – Review of the Implementation of NICE Technology Appraisal Drugs, Treatments and Devices, and Future Funding Options.

The Bailiff: And I will invite the President, Deputy Brouard, to open the debate, please.

3510

Deputy Brouard: Thank you, sir.

I am pleased to present on behalf of the Committee for Health & Social Care, the Committee's proposals to continue funding NICE TA treatments, with an ICER value of up to £40,000 in 2025. And the process for further increasing access to the specialist drugs in 2026 and beyond.

3515

Before I speak more to those recommendations, I would like to give Members who are new to the Assembly this political term a bit of background information on this large, complex project. The National Institute for Health and Care Excellence, or NICE, operates a technology appraisal, TA programme, with a clinical and cost-effectiveness of new and promising medicines are rigorously assessed. If the medicines meet the safety and efficacy criteria of the TA programme, they are allocated an ICER value. An ICER is an incremental cost-effective ratio. It is the calculation used to

3520

compare the costs of a new treatment with an existing treatment. The lower the ICER value, the more cost-effective the treatment.

3525 The previous Assembly resolved to direct the Committee to adopt a policy of funding drugs and treatments in respect of NICE TAs, and that a phased implementation should be undertaken over two years. The States directed that drugs with an ICER value of up to £30,000 should be made available during the first year of implementation, and those with an ICER value of £40,000 during the second year.

3530 The States further resolved that a review of the implementation should be undertaken, and the findings of that review brought back to the Assembly. That implementation and review is complete, and you can find lots of information and tables from the findings of the commissioned review in section 5 of the policy letter.

3535 But I would like to highlight some of the positive results from the first two years of implementing the NICE TA programme. During year one of implementation, which was 2021, 92 NICE TA drugs with an ICER value of under £30,000 were made available for prescribing to Islanders, and a further 57 TAs with an ICER value of under £40,000 were ratified during year two, which was to 2022. That is a total of 149 NICE TAs that have been made available to the community during the implementation period, benefiting some 886 patients.

3540 These medications help to treat service users across a number of medical specialities, most notably oncology, cancer, cardiology, ophthalmology and rheumatology. The service users in respect of these medications have reported to the Committee, through Care Watch, that they were able to feel able hopeful and make plans and enjoy every day pastimes. Continue to play or have a rewarding role in the family life through providing care to grandchildren or participate in charity work.

3545 These medicines, of course, come at a cost. A total of £4.3 million were spent on NICE TAs during the two-year implementation period in 2021 and 2022. The greatest drug acquisition spend of 58% in year one was registered to cancer drugs, and 283,764 was spent on rheumatology medicines and 61,000 on ophthalmology services.

3550 During year two, nearly half, 46% of drugs expenditure, related to the prescribing of rheumatology drugs and 37% were spent on cancer medication and 6% on ortho mythology. On top of the drug acquisition costs, a further £475,000 was spent on operational implementation costs, including for staffing in the pharmacy and oncology departments. However, the solutions for Public Health review not only analyse patient numbers and drugs costs, but further found that improvements were needed in the co-ordination and management of NICE TAs, including data collection. It is these findings in the current financial position of the States, which underpins the Committee's recommendation to maintain the policy in 2025, that is, to continue to make available NICE TAs with an ICER value of under £40,000.

3560 I would highlight at this point that maintaining the current policy position does not mean that new treatments will not be made available to Islanders, because NICE continually publishes new TAs, most of which have an ICER under £40,000.

Maintaining the policy through 2025 will enable officers to put in place the staff and the processes needed to more effectively manage the introduction of TAs, generally, but which are vital to be in place before drugs and treatments with an ICER more than £40,000 can be implemented. You will see these requirements in table 6 on page 28 and 29 of the policy letter.

3565 One of the most important measures is the establishment of a multi-disciplinary team, or an MDT, which will be done within existing resources. The purpose of an MDT is not to redo the work done by NICE, to provide the assurance and professional challenge to ensure value for money and appropriate patient care. Part of an MDT's role is to examine the impact on patients clinical capacity and budget and advise on priorities for investment.

3570 This Assembly recently agreed as part of the annual Budget for 2025, that up to £6 million could be taken from the Guernsey Health Reserve Fund to fund NICE TAs in 2025. It is worth noting that the timing and the take up of new NICE TAs challenge accurately forecasting of costs. And therefore,

a further £950,000 was included and this money is being put aside in the Budget reserve. That is £950,000.

3575 As per Proposition 2, the Committee recommends that the funding of NICE TAs for the years beyond 2025 be agreed by this Assembly as part of the Annual Budget process.

I hope you can support the Committee's pragmatic approach to continuing funding these important medicines for our residents in 2025. For future years, the new Committee *for* Health & Social Care will have in place better data from which it can request funding through the annual Budget process to be agreed by the Assembly.

3580 Thank you, sir.

The Bailiff: Deputy Falla.

Deputy Falla: Thank you, sir.

3585 I thank and commend HSC for carrying out the work that they were under Resolution to do in reviewing and reporting back on the NICE drugs policy. As the policy letter points out, the funding of drugs and treatments is an extraordinarily complex and fast developing area. There are limitations to the data that can be captured. And there are, of course, some unknowns when it comes to modelling future demands and costs. It also notes, quite rightly, that this is a complex and emotive
3590 area, and explains some of the challenges that exist in deciding what drugs and treatments can be made available.

Based on a series of measurements and calculations, as we have heard, resulting in an incremental cost-effective ratio, it funds only those drugs that result in an ICER value of up to £40,000.

3595 In an ideal world, every Guernsey citizen should have access to the best available treatment for their health condition. But currently, HSC does not make available all drugs within a NICE TA. There are still drugs with an ICER value of over £40,000, which are only available to individuals who can access them on a private basis, usually through health insurance. These are often drugs needed by cancer patients to improve the quality and longevity of their lives.

3600 As Deputy Brouard said in his statement this morning, health provision is not just about cost. And in this respect, the value delivered to patients benefiting from NICE drugs cannot be underestimated. In my view, HSC are taking a pragmatic approach in asking us to reaffirm the States' decision of January 2020, which would mean NICE TA drugs with a value of up to £40,000 will continue to be provided during 2025, while further work is done to assess and evaluate future policy
3605 on what is, after all, a constantly changing situation. Including taking into account the wider impacts of providing the drugs, including nursing and other staff resources, infrastructure and private patient income.

Now, sir, the reason I am speaking is that I have an interest to declare. And I am also going to be slightly self-indulgent in giving the Assembly a short personal case study. As an insulin-dependent Type 1 diabetic, one of 300 in Guernsey to suffer from this autoimmune disease, I currently wear two medical appliances to help control my health condition. A continuous glucose monitor which gives me a real time blood sugar reading every minute – which is why you might hear me beeping occasionally. And an insulin pump from which I can inject insulin via Bluetooth.

3610 Blood glucose levels can be affected by a number of factors, including food, stress, exercise. And Type 1 diabetics are required to make around 180 health related decisions every day. High blood glucose can lead to some very serious secondary health conditions. The two pieces of equipment I use are already a vast improvement on the former regime of finger pricking and injections with an insulin pen multiple times per day. The equipment I wear helps inform the decisions I need to make to maintain a balance between blood glucose levels and insulin intake, which is far from an exact
3620 science.

Reference is made in 6.5 of the policy letter to a further new advance in the treatment of Type 1 diabetes. This is known as closed loop, which means that the glucose monitor and insulin pump will be able to talk to each other, almost replicating the role of a pancreas. And this will dramatically

improve diabetes control. Closed loop has a ICER value of up to £40,000 and some Guernsey Type 1s are already using this system and reporting very encouraging results. Subject to a successful business case, it is hoped that I and others will also be able to benefit from closed loop as it continues to be rolled out to the diabetic community during 2025.

A patient quoted on the Diabetes UK website says:

The closed loop system has cut out about 90% of my low level dips in hypoglycaemia and it smoothed out some of the very irritating drifts in my blood glucose sugar levels. I can't completely switch off, but there is a reduction in the burden of thinking I have to do. The system can work out complicated factors on your behalf, like how much insulin is on board, where your sense of glucose is now and where it's likely to be in 30 minutes time, then it can make adjustments to help you out.

Care Watch has produced case studies of other patients in receipt of NICE TA drugs, some with various forms of cancer and other serious conditions, who reported that as a result, they were able to feel more hopeful, as Deputy Brouard has outlined.

Paragraph 8.6 of the policy letter says:

The Committee is acutely aware that a two-tier system is currently in place for those treatments with an ICER over £40,000, based on ability to pay or the availability of private health insurance.

And this can come at great personal cost to service users and their families. This situation contradicts the principles of the partnership of purpose and, as set out in the Propositions, this is one which the Committee wishes to remedy when there is the opportunity to do so.

Sir, I feel grateful and fortunate to be in Guernsey, where the HSC policy means that my health condition is less debilitating than it might otherwise be. I am grateful to the Committee for undertaking the review, and I ask Members to please vote for the Propositions so that work can continue in evaluating the provision of NICE drugs, both with an ICER value of up to £40,000 and also over that amount, which could improve the quality of life for those patients who currently do not qualify for their drugs and treatments to be made available.

The Bailiff: Deputy Murray.

Deputy Murray: Thank you, sir.

I just wanted to amplify a point that was touched on by Deputy Brouard, just in case people were not aware. Hitherto, the NICE drugs, important as they obviously are, they are being paid out of the health reserve, which Deputy Brouard referred to. And as a consequence of an earlier decision by the States, we ring-fenced £90 million, or the remaining £90 million, of the health reserve for the OHM 2 project to help assist with payment for it.

For 2025, we have been able to utilise what was left over and put it in the Budget. But the point I am really making is that from 2026 onwards, we will have to find another £5 million to £6 million a year out of general reserve. Unless, of course, we are to vary, obviously, that original Resolution, that ring-fenced that money. We have been raiding the piggy bank, basically, for the last four years or three years, however much it is. But that has come to an end.

It is just really to re-emphasise that, obviously, Members need to understand that, obviously, that is a further increase in the general reserve that we need to do. And I completely understand Deputy Falla's situation. And of course, we would like to be able to provide as broad a range of services and treatments to everybody as best we can. But unfortunately, at some point it comes at a considerable cost and that is why we have to try to make these value judgements, or indeed, we raise more revenue.

And that is a decision for this Assembly and obviously, it really has to reflect what the Island at large is prepared to fund, because there are many calls on States' funds. Health is a very emotive one and a very valid one, I think, for us to be able to do so. But we do need to recognise that there is a price to be paid and unfortunately, it will become a bit of a shock in 2026 because as I say, hitherto, the costs have been hidden. And I think, as Deputy Falla was mentioning, the likelihood is

that will continue to increase, obviously, as we perhaps raise the ICER limit. Or indeed, the range of drugs that are available within that current limit become available and which obviously we are then required to fund.

I am not saying necessarily that we should not do that. I am just saying that actually it is another burden that we are now going to have to pay through general revenue that, at this point in time, is not being covered.

Thank you, sir.

The Bailiff: Deputy Inder.

Deputy Inder: It is interesting now that Deputy Murray has gone to Policy & Resources. But I would like to hear from P&R whether, given the parlous state our finances are in, as referenced on a number of occasions and since our last vote, is Policy & Resources fully behind this proposal? I wonder if someone from P&R could let us know, given the warnings that they have been telling us about over the last couple of weeks.

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

In table 1 on page 11, there was just a slight thing that I did not quite understand. And I understand 2021, 2022, that is fine and then it has got prescribed, 'no', or prescribed, 'yes'. Does prescribed, 'no', mean that the patient gets say that this is a ...? I do not understand why it has got, it is either prescribed 'yes' or 'no'. I do not understand why it is, 'no', because I thought all drugs had to be prescribed. If Deputy Brouard could just explain that.

But I will just say that I do have a special interest in this. I have Addison's Disease, which is an autoimmune, and it comes under the endocrinology. I have to take steroids every day to keep me alive. But whether it comes under the NICE drugs, I think only one tablet does.

But I do think, and I know this is going to sound really hard hearted maybe, but we do need to get our finances under control. And I did vote for this yesterday and I am really pleased that this review has come and I think it is good timing that it has come as well.

The Bailiff: Deputy Le Tocq.

Deputy Le Tocq: Thank you, sir.

I am a Member of P&R, but I want really to express my own personal views, which will come as no shock to Members of this Assembly, because I have said only recently, as in the past, I have voted against increases in NICE TAs, NICE drugs and the like. Not because I am against this and I do commend HSC for the work they have done on it. In terms of, first of all, the phasing in of this so that we can see what the costs are and what the uptake is. Because I think that is important.

But my concerns have come for some time in that this is a cost that is only going to increase over the years. I have family members that work in the health area and there are some increasingly good technology and drugs that are becoming available. But for us, as a small jurisdiction, we need to really rethink the way in which we fund these things, because with the numbers as we see there, all it takes is for a few to increase. They are volatile numbers, sir. That is really what I mean. A few to increase in certain levels and, suddenly, we have several million more that we are having to find in one year or not.

We really do need to look at the long-term funding of things. And if we are going to prioritise this, we may need to therefore reprioritise other things or look at a new form of insurance scheme for secondary healthcare and the like. That is not the debate today, but I am expressing my views that we cannot continue to just fund these things because there are strong emotional feelings behind it. Obviously, we have all got family members who have benefited from such drugs being

3720 prescribed and I sympathise with that. But we are a small jurisdiction and we should not blindly just walk into a situation where we are not properly funding these things.

And as Deputy Murray has pointed out, at the moment, in some instances, we are looking to fund other things through the very fund that is currently put aside to support some of these activities. And that is my concern, sir, which is why I will not be able to support this today. I am not
3725 saying that is the case forever, because I think it is a timing issue, I think, this Assembly needs to take very seriously, its financial revenue pressures.

And I think one of the dangers is that we have consistently looked at things in isolation on a regular basis, and said, 'Oh, that is a great idea. We should proceed with this,' without looking at the broader issues. And when the broader issues do come before us and we get a broader picture
3730 painted, we are frightened by it and we put it away or kick the can down the road. And those have been my concerns.

That is not a popular thing to say. Last time I spoke on this, I had many who contacted me, very critical, but I am trying to be consistent here because I believe I do the same thing with my children and even my adult children, when there are serious things I want to tell you the truth, and this is
3735 the truth as I see it at the moment. We need to resolve our sustainable funding for these sorts of things if we are to serve our people well.

The Bailiff: Deputy Dudley Owen.

3740 **Deputy Dudley-Owen:** Thank you, sir.

And I would like to add my voice to those who are voicing concerns around the funding of this going forward. Another person in the Assembly rising to say that they, no doubt, have benefited from the drugs on the NICE TA list. Myself, due to breast cancer treatment.

And knowing people who are going through treatment for that particular condition, but also
3745 through metastasised cancer, this is really hard, really difficult to make a decision on this, knowing that not only my life but also lives of others have been saved or people have been having their lives prolonged. Yes, very intensely personal and very emotional, I am sure, for many people in this Chamber, and also for those listening who are hoping against hope that that their treatment can be continued to be funded.

But from this particular viewpoint, I have got to think as a parliamentarian and I have got to think broadly. I have got to think of the good of the Island going forward. And I have reminded myself of the vote that was taken on 18th October last year, when we were put in an invidious position of being asked to agree that a maximum of £90 million from the Guernsey Health Reserve could be
3750 utilised to contribute to the funding of our Hospital Modernisation Programme, phase two. To enable this work to proceed and to be supplemented by the general reserve.

Now on that vote there was 20 for and 19 against. It was a really close won thing, but it was brought by Deputy Brouard and then Member of the Health & Social Care Committee, Deputy Bury. And it was, again, one of those votes where we possibly were tunnel vision insofar as using an available pot of money which should have been used for this purpose. And so I am torn at the
3760 moment about how to proceed in regard to continuing to support the NICE TA in this particular policy proposal. And I would like to hear more from the Policy & Resources Committee. Obviously, we have heard from Deputies Murray and Le Tocq. And I think I did interrupt Deputy Gollop, who was going to stand.

But I am not sure how to vote at the moment. I do regret not having been able to attend a
3765 presentation on this particular subject that Health & Social Care, helpfully, ran a few weeks ago. But at the moment, what I am seeing is that there is money to the tune of £90 million ring-fenced, specifically, to fund the building of a planned capital project. And is that going to reduce our capacity to be able to fund the NICE TAs in the future, which I thought it was at the time when I voted against the Proposition? But if that is still the case, or whether we do have that money
3770 available to fund these NICE TAs, or has it been tied up for a building project which is yet to come

to fruition? I would like to have some clarification, please, from the President or other Members of the Committee.

Thank you.

3775 **The Bailiff:** Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

3780 I would just like to address Deputy Oliver's question that she talked about on the table. I think if you look at the table, if you look at the top line cancer drugs, it has got 2021 TA drugs, 36. That is how many was added to the list. No, because we have got number 22 is the 'no' column. That was, out of those 36, 22 were not prescribed. And of those 36, 14 were prescribed. And the same again in 2022, there is 29 added to the list, 21 were not prescribed and eight were prescribed for a total of an estimated patient number of 81. I hope that explains things for Deputy Oliver.

3785 This is a very complicated area. Most things we do on Health & Social Care are complicated, when we get new medications and treatments or whatever. It is different language sometimes when you are reading some of the paperwork that we have got. I am sure that the President and other Members would agree with me. You have got your incremental cost-effectiveness ratio and your quality of adjusted life years. It takes a while to get your head around this and it is very complex. And I honestly think this is one thing that the Committee has got bang on. We have got support from Solutions for Public Health who have done a great piece of work. We have got a brilliant new chief pharmacist in place, brilliant new chief pharmacist and she is great to work with.

3790 We get a lot of pressure from, clearly, a lot of pressure from other organisations, third sector groups, Guernsey Cancer Alliance, Care Watch are there to help us be our eyes and ears. They are supporting us in this. It is not very often that we get everybody around the table, all the stakeholders supporting us. And especially when we are not going for everything that is available in the NHS. To get that support from all these organisations tells me that we have got this right.

3800 Funding is clearly a very important issue and this is why we have to be very careful when making these decisions. People sharing their personal stories, Deputy Dudley-Owen and Deputy Falla. It is really brilliantly interesting to hear these. One thing I will say about Deputy Falla, he said that HSC will only fund up to £40,000. Well, it is the States that does that. We make the recommendations and it is the States as a whole which decides. So that is the only thing I just wanted to mention on that.

3805 But I think we have got this right. I really do. I have not seen anybody come forward. Not heard anybody from the other stakeholder groups that have that have questioned. In fact, all we have had is support. I would just like to encourage the rest of the Members who are not on HSC and have not been party to all the conversations and deliberations that we had, to trust us and to support the policy letter.

Thank you, sir.

3810 **The Bailiff:** Deputy Gollop.

Deputy Gollop: I would not like to presume that I am speaking on behalf of Policy & Resources. I might not even know what the latest issues are.

3815 But I would firstly say that we have heard some very wise speeches today. Deputy Oliver, Deputy Le Tocq, particularly, Deputy Murray, Deputy Dudley-Owen in pointing out, and Deputy Inder, that we are not in a bottomless pit.

According to my papers, page 30, point 10.6. It says in the report that is before us that Health & Social Care have submitted:

The Policy & Resources Committee are recommending that this funding is allocated from the health reserve as part of the 2025 Budget process.

3820 But of course, there have been a few issues since then. But it is from the health reserve, when we did the budget.

It is further advised:

Should the funding required exceed this amount, £6 million in total, an amount has also been allowed for in the Budget reserve, subject to an appropriately detailed request being submitted. Should the funding be less than this amount, then only the spend relating to NICE TAs will be transferred from the health reserve at the end of the year.

3825 Now I am minded, at this stage, to support it, the Propositions as they stand. I accept Deputy Dudley-Owen has made cogent points about the way we allocated, perhaps without sufficient foresight, monies. But really it is part of an infrastructure, part of capital, from something that really should be more of a health reserve.

3830 And my philosophy, really, and I have been undermined in this over the years, was I thought Guernsey had quite a clever system of, basically, a low-income tax, at least, for most people at 20%. But a Social Security system that plugged the gaps and including the long-term care fund and the health fund. And the health fund is used for a bit of a mixture of things from the Medical Specialist Group, the Guernsey Therapy Group, to other things. But I always thought there was a little bit of wriggle room and mileage there to extend what the health fund did at the expense of general revenue.

3835 And maybe we would have been slightly more successful if we got 10 votes for the rise in Income Tax from 20% to 22%. Maybe if we called it a health tax, it would have sounded more happy and smiley and less like Income Tax, I do not know. But we certainly do need to consider a whole range of issues, whether we can encourage or cajole employers who pay their good employees health insurance to use that more. Whether we can encourage a more of a hybrid system.

3840 Alderney Representative Steve Roberts actually made a very challenging and, I thought, brave speech today, because he pointed out that maybe we do need to look at whether Alderney can be an open door for every older person to move to. Or whether we need more of a slightly amended health insurance for certain kinds of residents. I think there are difficulties with that, with fairness to employees and inclusivity. In fact, the whole point of this is that it is about being inclusive. And it was to stop the anomaly of Guernsey people finding themselves who think they are living in a wealthy society, next to somebody in an NHS bed in Southampton and that person from Bournemouth getting the treatment and the Guernsey person not. It is a very difficult issue.

3845 I think it does need universal thinking, as Deputy Murray says. We do not have a sustainable model at the moment. The Budget vote last month showed that we do not have a sustainable political model of delivering it, even in the current constraints. And we have really got to work and include everything from healthcare, the universal offer, SLAWS, taxation, all into a package that we not only work on, maybe if we use the Citizens' Assembly as well, but we also put to the electorate and get back into it for, goodness' sake.

3855 **The Bailiff:** Deputy Roffey.

Deputy Roffey: NICE is an organisation that seems to be viewed very differently in Guernsey to the way it is viewed in the UK. In the UK, there is hardly a week goes by without some national newspaper running a story, or some television programme running a story about how beastly NICE are, because they are denying this wonder new drug that everybody would like to have because it has not passed their TAs. And it does not give sufficient value for money. They are really regarded as tight-fisted and fierce guardians of the public purse in the UK. Over here, I think we see them as people who want us to spend money like ... or they do not want us, but if we follow them, we will be spending money like drunken sailors. I think that is a false perception.

3865 And as Deputy Leadbeater has said, even with our current policy, we are, by no means, making available all of the treatments that comparative people in other parts of the British Isles would have available to them. And the idea that if we vote against one, we are retreating from even the position that we have had so far, I find very difficult to countenance. Although, I do accept, absolutely, what

Deputy Murray says, that by swapping the funding mechanism, it exacerbates an already very difficult challenge in balancing our general revenue books.

I do not actually agree with Deputy Dudley-Owen that the problem is that it is no longer going to come out of the health fund. Although I was delighted, a few years ago, when we decided to start this programme of funding the NICE drugs, the one thing I was really uncomfortable with, at that time, was instead of putting in a sustainable funding package about, I think Deputy Shane Langlois, at the time, was the one that voted against purely on this principle. That we decided to take it out of the health fund, which was always going to be a short-term arrangement. It was an expedient. It was a convenience.

That fund was built up under a different Social Security system, we have now morphed away from. And it is always going to be finite. We were putting an ongoing cost that was going to be there forever and a day, and saying, 'We cannot think how to fund it yet, so we will start taking money out of the fund.'

I actually think it is right that it should move across to simply being a part of the normal budgetary arrangements for HSC. But we are going to have to raise, as an Island, a lot more revenues to meet, even if we do what Deputy Le Tocq says and try and recognise that we are an Island and cut down on not, perhaps, having all the bells and whistles that everybody else has. We are simply going to have to raise more money. I actually think that penny has dropped in this Assembly.

I do think there are visceral differences over the best way to do it, but I actually think with most people, two thirds of the States at least, probably more than that, recognise that is what is going to happen. And I do have to accept that this is going to be an extra few million pounds that is going to have to be found every year in the budgeting arrangements. But to actually step back to what we have done, having gone where we have gone over the last few years, I think would be inconceivable.

I do urge all Members of the States to at least keep the status quo, which is basically all that is being asked for at the moment. It is difficult decisions that will have to be taken further down the line, about whether we go further and move closer to the UK situation.

The Bailiff: Deputy Bury.

Deputy Bury: Thank you, sir.

Having been involved in this work earlier in the term, I am very glad to see it come to fruition now. When I first saw the policy letter, I think my negative gut first instinct was, oh, that is a bit of a cop out. (*Laughter*) But I apologise for that initial thought, because after reading it, what this is, is a really pragmatic and practical approach from HSC, taking respect of the previous debates, but also the current situation that we find ourselves in. That is what I am taking from the point that the Committee appear to have reached: is to not roll back, but also not to really push forward yet and make sure we get the data properly and can assess the financial situation.

I think one thing that probably has not been highlighted enough, perhaps, just in speeches. And I hope it has been picked up by people reading the policy letter, but far less has been spent than predicted. In previous debates, the sky was going to fall in when we approved NICE TAs and that has not happened. That definitely has not happened. And actually, we have not reached the predicted outlays.

However, to Deputy Le Tocq's point, and it is a pertinent point, this sort of prescribing is very volatile. It is not wholly predictable. And therefore, I think the plan to gain more data, it will still always have an element of unpredictability but more data is bound to be helpful. I think that is an important point to make. And obviously, the hope would be that the trend would continue, that the outlay would not be as high as predicted but, of course, it is sensible to predict on the high side.

Yes, actually, I think that, rolling back on my original thought, this is really practical. I think the danger perhaps HSC find themselves in right now is that when you present perhaps a slightly pared back option, because this is not all singing or dancing, it is not gold plated, it is actually quite a good lesson in PR that says, we are going to continue doing something really good, which is true.

But there is another level that lots of people would have liked us to go to. (**A Member:** Hear, hear.) This will leave a lot of people not be able to access what they would like to.

3925 I found it was quite a good lesson with my old PR hat on as well. It did not really mention that negative too much. But again, I think that is because the Committee are being practical. And there is obviously recognition, as Deputy Leadbeater said, from stakeholder groups, that that is the situation we find ourselves in. It is a 'treading carefully, but with positive optimism' policy letter, I think.

3930 And so to Members who are wavering, I think, taking into account that HSC have taken, already, a pragmatic and practical approach to ask them to possibly pare that back further would not be taking into account their thought processes.

Thank you to the Committee for bringing this in the way they have, and I hope that Members support it.

Thank you, sir.

3935 **The Bailiff:** Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

3940 I am confident that this will pass at the end of the day. And I am also reassured by the pragmatic approach of Health and the reassurances of Deputy Leadbeater, that this has been well received and seems to be appreciated. But I am going to vote against Proposition 1. And the reason I am doing that is we are talking about here an expense that is material as a percentage of the Health budget and has the potential to escalate significantly.

3945 Whilst I do not think my negative vote will have any impact this time, I am putting Health on notice that this is one of the areas of cost that I would like to scrutinise very closely at the next election. And I must admit, I have not bought into, still, the concept that the UK has got it, had it, got it, we should have it too. And I want to make sure that if we are spending a lot of money on something, that it has the benefits that are required to justify that expenditure of what are very expensive drugs.

Thank you, sir.

3950

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir.

3955 This has been an interesting debate. It is quite a worrying subject to try and make a decision on with the costs on the one side and the demand on the other.

3960 But could I ask Deputy Brouard, when he gets to sum up, to explain why Proposition 1 is drafted as it is. It includes continuing with ICER value drugs of up to £40,000 per annum, to continue with those. And that of itself, I think we have established, will, even without raising the £40,000, have an increasing cost trend because more drugs will come in at under that amount. There will be more and more drugs that are available under that heading.

3965 But then part one, part two suggests increasing that £40,000 figure from 2026 onwards. And I am just wondering why that is done. Especially as we are not looking at 2026. Why that is in there? Well, this suggests that we are looking at 2026, but should we be? And I think I would be more inclined to vote for this if we just had one part one and not one part two, which strikes me as possibly going too far. So that is what is worrying me about this at the moment.

Thank you.

The Bailiff: Deputy Matthews.

3970 **Deputy Matthews:** Thank you, sir.

I am really pleased that we have been able to bring this policy letter from Health & Social Care. It is very important, I think, for us to be able to continue this funding for NICE TA treatments. And I hope that it will attract broad support.

3975 I was only really going to just make a couple of quick responses. Deputy Bury mentioned about how it looked initially like it was a little bit disappointing. We very much, on the Committee, did want to be able to fund as much as we possibly could. That was what we would ideally like to be able to do, is for our treatments that are available in the Island to be as good as you can get them in, well, certainly in the UK. And as Deputy Roffey said in the UK, NICE is seen as being a restraint on what you can get. Whereas in Guernsey we are looking to move up to that level. And that is what
3980 we would like to be able to do.

We currently have this additional constraint in for an ICER value of £40K which is something we would like to be able to remove and to move beyond. But part of the reason, actually, and in response to Deputy Bury, part of the reason why we could not do that was respecting, obviously, the financial state that the States find itself in, but also the resources that are required in pharmacy
3985 to build up to that, are quite substantial.

And in order to do the approvals and to do the work to get these things through, there would need to be a process where you would need to recruit people and build that service up and the administration around it in order to be able to do that. And that, I think, partly also may answer Deputy Dyke's question about why Proposition 1 part two, refers to this incremental process of
3990 moving to a select range of treatments from 2026 onwards. That is because that was one of the options that was presented to us, was to be able to increase the range to those which are seen as being most important above the £40K level.

We opted not to do that at this stage, but we kept the door open that that is an option that would be available in the future to bring in a larger range of drugs that might be useful. But we are
3995 not doing that at the moment. We are keeping the door open for that as a future stage, where we are able to and if finances permit, because it would have to come back to the States to be able to do that, to be able to expand that range to, to give a better range of options that are available.

And of course, it is incredibly expensive. This is one of the most expensive things that we can fund. And the cost of these drugs is only going to go up because the drugs themselves are going
4000 to go up and the number of people that need them are going to go up.

And to those who are having difficulties, as Deputy Meerveld expressed, about the cost of these things, I would say, well, if you did think that you were going to vote against it, then come up with an alternative (**A Member:** Hear, hear.) Come up with another way that you are going to fund this. And what are you going to do? Are you just going to tell people that they cannot have these
4005 treatments? Because Deputy Le Tocq mentioned that there is the potential possibility to rethink how we fund secondary healthcare. We could look to a social insurance scheme, the sort of thing that actually most European countries run would be an option. That is not there now, though. We cannot implement that tomorrow to develop that sort of scheme, which I think is a good potential option for how we fund secondary healthcare. But to develop that, you are looking at a very long
4010 time to set that up and to implement it. It is not going to happen overnight. But that would be an alternative way of funding this. Would be to say you have to join some sort of private health scheme or a partly subsidised or funded health scheme and that would cover you. But we are not at that point at the moment.

For anyone, including Deputy Dudley-Owen, who said that it is a difficult decision, I would say,
4015 well, if you vote against this, then what you are voting against is people who actually need treatments, who would not be able to get them if you were not able to get them. I will give way in a second. But my suggestion would be that while the States makes up its mind about how to resolve our funding crisis, do not let other people suffer for not being able to get the treatments that they want.

4020 We have got lots of decisions to make about how we do our Budget, but people should not be waiting, people should not be suffering in the meantime.

I will give way to Deputy Blin.

Deputy Blin: I would like to thank Deputy Matthews for giving way.

4025 It was just really the comment that he made to Deputy Meerveld, saying, look, if you are not going to allow the continuation of the NICE TA drugs, then, please bring an alternative first. And that is the same argument we have used if you are not going to support a tax increase or a Government service tax, come up with a solution. But it is very hard to make that statement because there are alternatives with less prescription, more counselling for lower areas to keep costs, to save costs rather than prescribing.

4030 We are not in a situation, we are Deputies, we are not scientists or specialists who can come in on all of those things there. However, this talks about a review. And this talks about, and we are also in a situation where some of us here have been saying, look, we are going to have to cut services in some form or shape or do something. And there is an effect of that. You have to take it seriously, that you cannot just say, well, therefore, we have to accept everything.

4035 And the other part here is, part two is a review to look at it. I do appreciate, as well, the attitude of HSC saying, we were not hit, and as Deputy Bury said, we were not hit by this figure. And I cannot remember the time when it was given to us, but it was a scary number of possibly £30 million/£40 million or something. But we are still in the millions, but not as grave as it was. So I think it is somewhere in between.

4040 And I thank you for giving way, because it was just a point of, it does not mean we have to have the solution now, but we always should be looking towards those differences.

Thank you.

4045 **Deputy Matthews:** Well, I thank Deputy Blin for that intervention. And my plea was really not to say that an individual Member should come up with an alternative funding plan. There are such alternative funding mechanisms that do exist and that they could be generated. My point is that to implement another scheme that would fund these types of treatments is possible, but it is a long way off. To generate the legislation for that is not something that you would do quickly and overnight.

4050 If you wanted to think about not funding it, bear in mind that in the meantime you would be not funding actual people's treatments while that takes place.

Deputy Murray: Point of correction, sir.

4055 **The Bailiff:** Point of correction, Deputy Murray.

Deputy Murray: It is a correction and it is clarification. There is money in the Budget for 2025. (A Member: Hear, hear.) So there is an opportunity, obviously, to be looking at other alternatives. Clearly, they might take a lot longer, but I would not want people to think that if this is not voted for today, that it actually will not be funded for 2025.

4060 Thank you, sir.

Deputy Matthews: Yes, and I thank Deputy Murray for that.

4065 My point, really, was in reference to the idea of not funding NICE drugs altogether. And if you did not want to fund those, then you would need to think about what the consequences of that would be.

4070 And I do not need to declare an interest myself, sir. I am not using any NICE-approved drugs myself. My dad, today, actually is, though. He has a condition of Diabetic oedema, which involves some medication which is injected into the eyeball. For anybody thinking that this debate is painful, there is an alternative which is having needles stuck into your eyes, which is often seen as being a worse alternative. But it is a necessary treatment for those people who need it.

I would ask if Members could support this policy letter, that will allow us to enable us to continue to offer the treatments that people very much need.

Thank you, sir.

4075 **The Bailiff:** Deputy Moakes.

Deputy Moakes: Thank you, sir.

I read, obviously, all the paperwork before we met today but it has clarified a few points, listening to various Members speak. I can hear a number of people around the room who say, 'Look, just say no. We have not got the money. Do not do this.' That is one extreme. The other extreme is just say yes to everything. Deputy Matthews has already said, sir, that there are people that, 'We want to do everything.' We want to provide almost every single thing that they do in the UK, because that would be wonderful, wouldn't it. If we could do everything. But we cannot because we are Guernsey and we cannot afford it.

4085 And I think as a result of that, I think there is a trick that is being missed here. And that is in the policy letter for those people listening. My apologies. And that is that, as you say, you have got extremes. Do not do anything. Do everything. And then somewhere in the middle is what is in here.

Now one, as far as I can see here is, we will continue to do what we have already been doing. Nothing more, nothing less. Status quo. And if the funding is still there for 2025, that would seem, depending where you are on those spectrums of extremis, one possibility, another possibility, let's say.

But then it goes on to two. So 1.2, if that makes sense. And that automatically talks about, well, let's go even further as well for 2026. You go from perhaps bending a few people's ears and saying 2025, we are okay to almost getting them, well, to actually then get them to commit to go even further in 2026. And the reason I say I think you are missing a trick here, is because you talk about waiting for the mini-Budget, whatever you want to call it, to come out, let us know what money there is, what there is not. If you have gone for simply 1.1 then you would have probably attracted a few more people. But I think 1.2, which demands lots of extra spend for 2026 now, commit to it now, not –

4100 Sorry, I will give way.

Deputy Leadbeater: Sir, I thank Deputy Moakes for giving way.

I do not think it is quite as binary as he reads it, because what 1 says is not exactly standing still, as we will still have TAs added to our list, but those with an ICER up to £40,000. Those were the biggest bang for your buck, basically. Anything over £40,000 QALY, you are getting less bang for your buck.

And two, there is every possibility that we will not get drugs above £40,000 QALY, recommended by the MDT. It is only if the MDT feels that these drugs are going to be worthwhile. We are leaving it to the experts, the experts in the field to come with recommendations to us and say yes, if these drugs up to £50,000 QALY would help X amount of people and give them X amount more quality of life.

The one thing that I think that nobody's really touched on, and I forgot to mention it myself as well, is if we wanted an ICER above £40,000 now, we have not got the resources to do it. We have not got the resources in pathology, for example, to be able to go above. There are lots of other bits and pieces. There are a lot of these drugs need to be manufactured. It is really, really intense human resource. Expert human resource required to be able to go above the £40,000. There is every possibility that in this short timeframe, we are not going to have those resources in place. And we will not be recommending to the States, or the next HSC will not be recommending to the States to go over £40,000 QALY.

4120 Thank you.

Deputy Moakes: Thank you for that.

I have no problem with that description at all. That explanation, that is absolutely fine. But I still think, optically, it would have made it easier for some people if those two things have been split out. And I guess the way that this policy letter is written; italic one, italic two, probably cannot be

split out. No. Effectively, it is, do nothing, decline the whole policy letter or go all in. There is not that kind of 2025 ... Anyway. We will see.

The Bailiff: Deputy Ferbrache.

4130

Deputy Ferbrache: Sir, I find myself for the second time in a short period of time, in total agreement with Deputies Roffey and Bury in the comments that they have made in relation to this particular matter. Though, I doubt that anybody takes a NICE drug because it is a sweetie. They take the drugs because they absolutely need them.

4135

Deputy Trott has very helpfully and informatively said earlier today that at one of the February meetings, I do not know whether it is the early one or the later one, but one of the February meetings, there will be – my words, not his – more budget proposals brought in, or something of that nature, in relation to what we are going to see.

4140

And I think, we have got time now to think about that, between second half of November and early or late February, we have got to think about lots of things in connection with where money is going to come from, what we are going to be able to afford to pay for, and lots of other issues. I very much am looking at P&R, and I am very much hopeful that the Budget could be, whatever you call it, could be as expansive as possible to have that debate. Because these drugs are going to get more expensive. There are going to be a request for more and more and more.

4145

I thought Deputy Blin's point was poorly made, and I reject it completely. I do not mean any disrespect, but I thought it was a poor point, poorly made. Deputy Meerveld made a good point in the sense that we cannot always do what England wants. I accept that, and I know he did not mean it in these terms but the last thing I want to do is to see a Guernsey person in a Southampton hospital and an English person in a Southampton hospital; the English person can get a certain drug, the Guernsey person cannot. I do not want to see that. And the English authorities would have no option but to exclude or limit the Guernsey patient because they are not being funded by the NHS. I do not think Deputy Meerveld meant it as stark as that. So I am just addressing it. But I see what he means.

4155

But in relation to this, we have got so many problems to address. We have got so many problems. The funding is here, as Deputy Murray says, in 2025. But we cannot, forever and ever and ever, just add more and more things onto the revenue budget, because we will be paying Income Tax at, not the 22p that Deputy Trott brought forward, but 42p or whatever it may be. Well, it is true. I am very sorry. We have avoided and previous Assemblies have avoided, making revenue-based decisions. People have got to appreciate.

4160

I have got good friends of mine saying, I could cut 1,000 public servants. No, they could not. And I am always conscious in the businesses that I am involved in to have as many employees but as few employees, if that is not contradictory, as possible. Because the most expense in your business is or are your employees.

4165

I am sure that cuts could be made. I am sure that we are profligate in some ways. I know that we are grossly inefficient in various ways. But, but, but the truth is, as many cuts as we put in place, we are going to have to significantly increase revenue. And people can say what they like. They can grab all the flags they like, they can sing all the songs that they like. They can go pow, pow, pow, whatever the words are to *Sweet Caroline*. That is the truth of the matter. Let's grasp that issue in February, when Deputy Trott brings his proposals back, as I am sure he will. Deputy Trott ... P&R bring their proposals back. I see he is nodding affirmatively now, so he looks happy while I am saying that. But in relation to that, let's do that.

4170

But these proposals, these drugs are life and death. They are life and death to people. And as I said in the earlier debate, I did not come here in 1994, when I was still old, but I was a bit younger then, to limit and to restrict the benefits the poor got. I am not here in 2024 to prevent people having drugs that they should have to either keep them alive or attenuate their conditions. I am very sorry, we are going to have to find this money. But we are going to have to make difficult –

4175

I am not going to give way. Deputy Dyke can always make a speech if he likes. I am sure it would be very interesting.

4180 But in relation to that, we have got to start making difficult decisions. I do not regard this as a difficult decision. I regard this as a humanitarian decision.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

4185 And I would like to thank HSC for their policy letter. And I think it has been an interesting debate. And I think Deputy Leadbeater has spoken well about the difficulties of putting it together and the history of it. And I think it is a really complex area. I know because it was the previous Committee that brought the original policy letter. And I think it is very hard for any layperson, particularly those who are not working on this all day, to actually understand what this means. And we hear about
4190 ICER values of up to £40,000 and under £40,000. It is not the cost of the drug, it is the effectiveness of it, compared with a drug currently being used.

And it is complicated and generally, the higher the ICER value, the less cost-effective it is. And I think we need to bear that in mind. And it is all very well, I heard Deputy Roffey say, 'Oh in the UK, they think NICE is awful because they ban these drugs but we do not get all the drugs that NICE
4195 prescribe.' But NICE are an organisation looking from a UK context. And I think it is right that we have a special team that has to look at this in the Guernsey context. Because we are not the same. We cannot run a fiscal deficit, whereas the UK have been for a very long time.

And on that link to the UK, we are saying, well, then somebody in a bed next to you, if you come from Guernsey, can have this drug and you cannot. Well, the problem in the UK is their health
4200 outcomes are worse. The expenditure on prevention, early intervention has been far worse. So they are more likely to meet people in the hospital with those conditions, because they are not being screened and found early enough. And so they are needing those more expensive drugs. Everything has a context here and just looking at one thing in isolation is very dangerous, I think.

I just look at Proposition 1.2, I think that, basically, the crux of this is that the TAs with an ICER
4205 value of over £40,000 will be implemented incrementally on the recommendation of an expert multidisciplinary team for 2026 onwards, subject to the availability of funding and resources. Well, we have not got the funding. So clearly something has to give. It is not difficult. And Deputy Leadbeater, again, made the good comment that things are going to have to change. There will be expenditure on top of that to enable some of these drugs to actually be administered. There will be
4210 complex cancer drugs which will need changes to the Hospital, if I am right. These are all connected so it is very difficult.

And that leads me to my final point around looking at things in isolation. Deputy Ferbrache talked about, 'Oh, we are going to put it all in a mini-Budget and then we can pick a mix and decide what we want and what we do not.' Well, in the world of healthcare, I think that is so dangerous. I
4215 think before even I was in the States, there were debates where we are comparing bowel cancer screening with the museum archives. We do not want that sort of debate. It will turn into a bloodbath, I am sure.

But anyway, we have already got a Resolution of the States that was made last term, in terms of looking at the universal offer in Health & Social Care. And I am disappointed that we have not seen
4220 that yet, because I think we have come to the point where it is absolutely, desperately needed now. And I think this just demonstrates, that we are spending more money on the drugs side of it. But should we be looking at where our money in health is best spent? It might include NICE TA drugs, and I think it could probably will do. But then we got to think about the whole envelope and what we should be providing.

4225 It is not something we should be putting in in an emergency Budget, for sure. And I do not think it would be possible to do it in that timescale anyway. The whole work was meant to be very complex from the start, as Deputy Brouard will well know. That is something we need to be careful of.

And my final point is really something from what Deputy Bury said this morning. Saying, just because this is the first thing that comes along it is not necessarily it should be the first thing that we cut. And I do think we need to look at being more measured in what we do.

And so I will be supporting the Propositions at the moment. But as I said, we have not got the money for the future. Something has to be done about it. And a vote to support the policy letter, just makes that more obvious.

Thank you.

The Bailiff: Deputy Trott.

Deputy Trott: Sir, I will speak briefly because I just want to address a couple of comments that have been made. The first is, we made it very clear throughout the Budget process that it would be the capital programme that would almost certainly be impacted to the greatest extent. And there were a number of reasons for that, not least, of course, it was the easiest set of proposals to return to the Assembly with. There is not a great deal of time between now, and I think it is the end of the third week of December, before the proposals need to be submitted for debate in February.

People would have noticed this morning that I was quite agitated in replying to questions around the PSO. And there was a number of reasons for that, not least some very stupid comments, in my view, sir, that had been made up in Alderney. And in particular, that the Policy & Resources Committee was playing with people's lives by adhering to the amendment that had forced our action on the PSO. But of course, that is ridiculous. We may be impacting on people's lives –

Alderney Representative Snowdon: Point of order, sir.

The Bailiff: Alderney Representative Snowdon.

Alderney Representative Snowdon: I think Deputy Trott is probably referring to the runway and we have had an incident with a Dornier aquaplaning, as you know, and I would say that is playing with people's lives in January this year.

Thank you very much.

The Bailiff: I am not sure that was a point of order, but never mind. It might have been a point of correction.

Deputy Trott: It clearly was not because the CCA did not determine that –

Alderney Representative Snowdon: Point of order, sir.

The Bailiff: Do you mean a point of order?

Alderney Representative Snowdon: I do, because it is a quite important point that if you have got an aquaplaning Dornier.

The Bailiff: Just a minute, Alderney Representative Snowdon. What Rule are you saying is being broken?

Alderney Representative Snowdon: Rule 17(6), sir. Not relevant to the debate.

The Bailiff: It is relevant to the debate. Because what Deputy Trott is doing is responding to what other people have said during the course of this debate about what might be coming up in the future. He is allowed to say what he is saying.

4280 **Deputy Trott:** Thank you, sir.

You would expect me to agree, and I do, because the difference here is obvious. It is a futile interjection because, yes, there was a lot of rain on the runway on that particular –

4285 **The Bailiff:** I am just going to interrupt (**Deputy Trott:** Sure.) briefly, Deputy Trott. Can I just encourage all Members not to use language like futile in relation to an interjection. This is a parliamentary Assembly where people are expected to respect one another. And on that basis, I would simply invite you to withdraw that comment about the interjection.

4290 **Deputy Trott:** I do it gladly, sir, because you are quite right. And I think standards have fallen. Not necessarily in this Assembly, but certainly outside of this Assembly and some of the language that has been used. But clearly, an aircraft aquaplaning on a runway in Alderney because there had been very heavy rain, which was handled by the pilots, is very different to the life and death scenario that could emerge if someone did not get, appropriately, the NICE drugs that they required.

4295 To call one thing life and death, when it was handled in the way I have explained, comparing to NICE drugs, is, in my view, sir, and I am entitled to this view, a silly comparison. It may not be futile. I have retracted that, but it is certainly silly.

Interestingly, Deputy –

4300 **Alderney Representative Snowdon:** Point of order, sir.

The Bailiff: Point of order, Alderney Representative Snowdon.

Alderney Representative Snowdon: Yes, please, sir.

4305 The runway has got absolutely nothing to do with NICE drugs. I do not know why it is being brought up.

Thank you.

Deputy Trott: I am happy to respond now.

4310 **The Bailiff:** Deputy Trott to continue, please.

Deputy Kazantseva-Miller: Point of order, sir.

Deputy Trott: One is.

4315 **The Bailiff:** Point of order, Deputy Kazantseva-Miller.

4320 **Deputy Kazantseva-Miller:** Order 8(1), in relation to the Presiding Officer will be responsible for maintaining order in the meetings. I think a number of adjectives have been used by Deputy Trott in relation to Members making, I will not repeat what kind of comments. I do not believe that is parliamentary language.

Thank you.

4325 **The Bailiff:** I have already drawn attention to some of the language being used. And Deputy Trott has withdrawn what he said about an interjection. There is no point of order in relation to Rule 8.

Please continue, Deputy Trott.

Deputy Trott: Thank you, sir.

4330 These are comments that have been made publicly on radio broadcasts and in printed material. But I do absolutely agree that these comments are unwelcome and unnecessary and should not be perpetuated, which is why I was very happy to withdraw the comment about futility.

Let's move on. Sir, we are talking about something that genuinely is life and death, but when Deputy Ferbrache spoke, as he often does, he reminds us of the parlous financial position we were in in December. And the fact that as a consequence of decisions that have been made by this Assembly, it is actually worse today than it might otherwise have been.

The much-respected think tank, GPEG, have sent us some material. And in it, they make the point that we are – I will quote them directly, sir, through fear of being inaccurate – they say that, 'We conclude that it is more likely that a rate of GST of 10% will be necessary to cover the 2027 deficit plus capital expenditure.' A rate of 5% is, in their view, their professional view, dreamland.

I mentioned that because I know that my colleague, Deputy Soulsby – I will give way in just a moment. I mention that because I know that my colleague, Deputy Soulsby, was criticised by some for suggesting that the rate may need to be at 8%. This is an independent think tank. Citizens of this community who believe that the rate needs to be higher.

4345 I give way to Deputy Ferbrache.

Deputy Ferbrache: I am very grateful for giving way. And I read the same document that Deputy Trott read and some of those people are tax cappers. So if, for example, the States had passed the 10% increase in Income Tax, it would not affect them a jot because they are already paying whatever the tax cap is.

And I have seen their works before over the last three or four years of their existence and I am yet to find one that I give any credence to. They are intelligent people. They are intelligent, well-meaning people, but intelligent, well-meaning people do not always mean that people come up with the right judgement.

4355 **Deputy Trott:** It is, of course, possible, sir, that some of those people do take benefit from the tax cap. We have no way of knowing. None of us in this room know their personal tax situation.

The thing, though, that we must not forget in any debates of this type, is that the *prima facie* fact is that we spend less on public services in this Island than any of our comparator jurisdictions. And it is quite materially less. We often give the impression that we are, I have said this during the Budget debate, that we are bloated and that we are inefficient. Well, if we are bloated and inefficient, we are significantly less bloated than our most similar comparators, as I have said.

I shall be supporting these proposals. And I shall be supporting them because one of the reasons I found those comments about life and death so abhorrent, I will not repeat the detail, sir, is because –

4365 I will give way. In an attempt to be a refreshed environment of cordiality I give way to Deputy Snowdon.

Alderney Representative Snowdon: I would like to thank the Chief Minister for giving way.

4370 But surely, if an aquaplaning Dornier is landing on a runway, it is out of control because the runway is end-of-life, therefore, potentially it is life and death. The pilot handled the situation very well. I believe the incident was in January, but it is life and death. It is very wrong, I hope the Chief Minister agrees, to try and belittle that event on an Alderney runway, because there was too much water there and it was aquaplaning. And there is no guarantee, as we are today, that that will not happen again. So please do not say that it is not life and death. It was handled in the right way. It should never have happened. A commercial plane landing on a wet runway. Aquaplaning. Really serious, Deputy Trott. On Alderney runway.

4375 So please do not belittle the comments I have made about that. Because it is really, really important and I think you may be misleading the Assembly if you do. I hope you would agree that Alderney runway is going to be done very soon and not delayed, as you seem to have indicated this

morning. And we are moving forward in the right way to get the rehabilitation programme so we *avoid* any incidents in the future.

Thank you, sir.

4385 **Deputy Trott:** Sir, Alderney Representative Snowdon said that I, particularly me, but the Policy & Resources Committee collectively were playing with people's lives. We were doing no such thing. All I am doing is telling this Assembly the realities as a consequence of the decisions that have been made. In an attempt to personalise it, to blame the Policy & Resources Committee for something
4390 Board – was a particular and repetitive attempt to cause a division in this Assembly. And I simply will not stand for it, sir. I am very happy to give way (**Alderney Representative Snowdon:** Point of order, please, sir) because I will repeat the message once more.

The Bailiff: Are you raising a point of order, Alderney Representative Snowdon?

4395 **Alderney Representative Snowdon:** Yes, thank you. I think the Chief Minister is getting very personal with this matter. The issues have been raised and I think you are putting words into my mouth at the moment, Deputy Trott, which I do not appreciate.

Thank you.

4400 **The Bailiff:** Before I invite Deputy Trott to continue, I remind all Members that the Rules say that whenever a Member is speaking, they always address the Presiding Officer and not another Member. There is no real need to descend into personalities. This is about policy in relation to this matter. We will be adjourning soon, I hope. But I will invite Deputy Trott to finish his speech.

4405 **Deputy Trott:** Well, we need to – and this will be my last comment – because unfortunately, even the comments from Alderney Representative Snowdon just before, were inaccurate. The aircraft was not landing, it was taking off. It was taking off, not landing. And do you know how I know that is absolutely the case? Because the person who was commanding that aeroplane at the
4410 time has just sent me a text confirming that to be the case. And with that, sir, I sit down.

The Bailiff: We are now adjourned until 9.30 in the morning.

The Assembly adjourned at 5.35 p.m.