



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 16th July 2025

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

Volume 14, No. 27

ISSN 2049-8284

Present:

Ms J E Roland, Deputy Bailiff and Deputy Presiding Officer

Law Officers

R. M. Titterington, K.C. (H.M. Comptroller)

People's Deputies

C. P. A Blin	M. P. Leadbeater
Y. Burford	J. P. Le Tocq
T. L. Bury	M. Malik
A. K. Cameron	A. D. S. Matthews
H. L. Camp	L. J. McKenna
G. M. Collins	P. S. N. Montague
R. P. Curgenvin	A. J. Niles
H. L. de Sausmarez	G. A. Oswald
D. F. Dorrity	J. M. Ozanne
S. J. Falla	C. N. K. Parkinson
A. Gabriel	S. R. Rochester
J. A. B. Gollop	T. M. Rylatt
L. T. Goy	A. S. Sloan
S. T. Hansmann Rouxel	G. A. St Pier
M. A. J. Helyar	J. D. Strachan
R. M. Humphreys	L. C. Van Katwyk
N. R. Inder	S. P. J. Vermeulen
A. Kazantseva-Miller	S. Williams
M. S. Laine	

Representatives of the Island of Alderney

Alderney Representatives E. Hill and E. A. J. Snowdon

The Clerk to the States of Deliberation

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

Absent at the Evocation

Deputy B. R. Kay-Mouat (*absent de l'île*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The States' Greffier

EVOCATION

CONVOCATION

The States' Greffier: Billet d'État XVI of 2025. 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 Court House on Wednesday, 16th July 2025 at 9.30 a.m. to consider the items listed in this Billet d'État, which have been submitted for debate.

Billet d'État XVII is convened pursuant to the provisions of Rule 2(4) of the Rules of Procedure.

In Memoriam: Howard Roberts KC, Former HM Procureur

The Deputy Bailiff: Good morning, everybody.

Members of the States of Deliberation, on 3rd July the former Comptroller and Procureur Howard Roberts OBE KC died. Howard Roberts was born on 19th April 1956 in the UK. He was educated at Cheadle Moseley Grammar School, Cambridge University, the Inns of Court School of Law and the Université de Caen.

He was called to the English Bar in 1978 and to the Guernsey Bar in 1988. Howard practised general common law until 1980, when he joined the Ministry of Agriculture, Fisheries and Food in London as a legal assistant. He came to Guernsey in 1983 as a Legislative Draftsman and he was called to the Guernsey Bar in 1988.

In 1990, he was appointed as Guernsey's first Crown Advocate. From the start of his time here, he gave advice to States' Members and Committees on points of law. As one of the Legislative Draftsmen, Howard was responsible for drafting several important pieces of current legislation. He drafted the Island's first data protection legislation. He drafted many of the key pieces of legislation first regulating Guernsey's financial services sector, including the Financial Services Commission (Bailiwick of Guernsey) Law, 1987, the Insurance Business (Guernsey) Law, 1986, and the Protection of Investors Law, 1987. He was also the draftsman for some important constitutional legislation, including the Government of Alderney Law, 1987, and the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991.

Howard acted for the States or their Committees in several important court cases, including two which established the principles on which compassionate housing licences, as they were known then, ought to be granted.

In 1999, Her Majesty Queen Elizabeth II appointed him as her Comptroller and Deputy Receiver General for Guernsey. That appointment meant he became a member of this Chamber, the States

of Deliberation, and he was also a member of the States of Election. He served under the Bailiffs, Sir de Vic Carey, Sir Geoffrey Rowland and Sir Richard Collas, and Deputy Bailiffs, the late Chris Day and the present Bailiff. Presiding Officers and Deputy Presiding Officers benefited from his guidance on legal and procedural matters in the States of Deliberation and the States of Election.

His wise and pragmatic counsel was regarded and valued by Members of the States, both within the States' Chamber and in the day-to-day work of the Departments and Committees of the States. He led the team from the Law Officers' Chambers which participated in the 2014 Moneyval evaluation of Guernsey's anti-money laundering and counter-terrorist financing measures. In 2015, he signed, on behalf of the States of Guernsey, Guernsey's asset-sharing agreement with the United States of America. This is the only formal agreement of its type relating to Guernsey.

He was appointed Queen's Counsel in 2000, and in 2009 he was appointed as Her Majesty's Procureur and Her Majesty's Receiver-General. Having retired as Procureur and Receiver General in 2016, having served as a Law Officer for 17 years, his total full-time service to the Crown and the Bailiwick of Guernsey extended over 35 years. In that time, Howard acquired a reputation for sound, practical legal advice in both public and private law. In recognition of that long and distinguished service, he was appointed an Officer of the Most Excellent Order of the British Empire in the 2016 New Year's Honours List.

In addition to the demanding role of Law Officer of the Crown, he participated in other aspects of community life. He was a regular worshipper at St Andrew's Parish Church, where he was Church Secretary and Church Warden for many years. Further, he represented that Parish on the Guernsey Deanery Synod for over a decade. He served on the Deanery Panel of Appeal and was involved in the work of the churches together in Guernsey.

Howard had a great love of music and singing, and was a member of the Guernsey Choral and Orchestral Society for many years. In 2009, as a member of the Chamber Choir, he represented Guernsey in the International Festival of Sacred Music in St Malo.

Howard is survived by his wife Jan, sons Ben and Will, his sister and wider family. To all of them and his friends, many of whom sit with me in the Chamber today, we extend our sincere condolences.

Members of the States, will you now please join me in rising for a period of silence to honour the memory of the former Law Officer Howard Roberts OBE KC.

Thank you.

Statements

General Update –

Statement by the President of the Policy & Resources Committee

The Deputy Bailiff: I now invite the President of the Policy & Resources Committee to make her first General Statement.

Deputy de Sausmarez: Madam, it is a privilege to make this first statement on behalf of the newly constituted Policy & Resources Committee. While only a couple of weeks have passed since we were first elected to our roles, I am pleased to provide an update on a number of ongoing issues, some new developments and a look ahead more generally. I will start though with our commitment as the senior Committee to our colleagues in this Assembly with respect to behaviours and values.

We want to be open; open about our decision-making and intentions, open to suggestions and scrutiny and open about our mistakes because we will no doubt make some. We also want to work more collaboratively with Committees and colleagues in the States to build consensus wherever possible.

For example, each principal Committee and the STSB has a dedicated member of P&R who will work with them and represent their interests around our Committee table. We will reformulate and refocus meetings between all Committee Presidents and I will be available through one-to-ones and drop-ins. This will, we hope, be particularly useful in the immediate task of building the 2026 Budget, the timeline for which has been a little compressed by the recent general election.

We make a similar commitment with respect to openness with the community. We are working to establish better channels of two-way communication, not simply to explain our actions and priorities but, just as importantly, to enable people to have more of a voice and feel more invested in what their Government does.

As a Committee, and indeed as an Assembly, we are all intent on getting things done this term, and with that in mind I want to recognise the contribution of our public service, which is too often understated. Alongside the demanding day-to-day responsibilities we ask of our public servants, it is important to acknowledge their successes and give credit where credit is due.

In recent months, we have seen what many consider to be the most successful Liberation Day celebrations since 1945, the exemplary delivery of the general election and the Finance Team's smooth transition to IPSAS accounting standards, to name just a few examples.

While we cannot and will not shy away from the problems and challenges, it is worth remembering that there is also much to be proud of.

Deputy St Pier will act as the Committee's resources lead, which not only encompasses financial resources but also human resources, so the States' role as an employer will be led by him.

In the spirit of openness, it is also important to acknowledge the areas where we have not yet got things right. Large transformation projects have proved particularly difficult for us as an organisation, and I will go into more detail on one or two of those projects shortly. However, I am encouraged by a new approach to change management that is being developed within the Civil Service, one that places far greater emphasis on involving frontline staff.

Just yesterday, the Revenue Service Team, for example, were actively engaging on how best to tackle the long-standing operational challenges that have been widely reported. There is real potential here to shift how we deliver change, with those who do the work integral to the design and delivery of services, to realise the significant opportunities for improvement.

The Head of Public Service and I are fully aligned in our commitment to promoting the higher standards of professionalism between Deputies and officers. While Deputies have a prerogative to accept, reject, or challenge the advice of officers as they see fit, we must do so, please, with mutual respect and civility, and as elected representatives hold one another to that standard.

To some more specific priorities for the Committee. In the current era of geopolitical uncertainty, strong regional, national and international relationships are more important than ever for small Island jurisdictions like ours. Deputy Le Toq has once again been elected as the Committee's lead for External Relations and Constitutional Matters, a role in which he will put to good use his extensive experience in representing Guernsey in global forums and his diplomatic skills. Other Members of the Assembly will also be asked to formally represent the Island in various ways throughout the political term, and it is worth reiterating that all of us should be mindful of how our words and actions may be viewed from beyond our shores.

A lot of States' resource has had to be focused on adapting to Brexit, and so that continues. About two months ago, the UK and EU announced their intention to negotiate a new arrangement to reset the relationship. Officials from across the States of Guernsey have been engaging with UK officials about the extent to which the UK-EU reset negotiations might impact our Islands. Some elements, such as fishing access, will not affect Guernsey, as our position is settled and not in scope of the UK-EU reset discussions. But others will, such as border controls for goods.

We are hopeful, though, that we could see some benefits to us locally. For example, our young people could access the proposed Youth Mobility Scheme, which would give them more opportunity to experience living and working in Europe for a time, and in turn enable young Europeans to work here. The Erasmus Scheme too could give our younger generations opportunities in education and training.

130 The Committee also believes that there is a good opportunity to diversify our imports by bringing in more goods from France and, in doing so, strengthen our food security, reduce our carbon footprint, and potentially improve affordability as well. Here on our own patch of water, we are embarking on a similar reset of our relationship with our sister Islands of Alderney and Sark, through the Bailiwick Commission, to reframe it in the context of the modern era and make it fit for purpose, both now and for the future. We are grateful to both Islands for confirming their
135 willingness to engage with this process and we can give them our assurance in turn that it is a priority for us. We hope to agree the terms of reference at our meeting next week, following which we will be looking to engage commissioners.

In the meantime, the Committee has agreed the terms of the government-to-government loan to Sark to purchase certain electricity assets in the Island to allow it to generate and distribute
140 electricity as per the principle approved by the previous Assembly in the last States' meeting of that term. The loan will be issued on very similar terms to those issued to States' trading assets and will be repaid over a period of 20 years. The money will enable Sark's government to undertake much-needed investment in its electricity grid and generation assets for its people, who rely heavily on electricity, including for their domestic water supply.

145 Alderney's most pressing priority is, I am sure they would agree, its air connectivity. The Committee is rapidly assessing the feasibility, costs, and timescales to extend the operational lifespan of the current Alderney runway and Airport infrastructure. In the meantime, the pre-emptive patching work on the runway and pavement will continue in order to keep the runway safe and operational. We are also intent on agreeing a practical and sustainable longer-term solution for the
150 Island's air transport operations.

Back in Guernsey, there are several projects to which we are giving particular attention to help them through a difficult transition. One of these, the Revenue Service, I have already touched on briefly, but I will go into a little more detail now. The backlogs and other challenges have been well publicised, and I can assure Members that these issues are being addressed as an immediate
155 priority. There is no overnight fix, but we are working on a number of different solutions, building on the feedback from staff and customers.

While many solutions will be around how technology is utilised, it is important that we look at the underlying processes and the customer experiences. I have been reassured by the level of focus being given to this matter by the most senior officers in the organisation alongside their Revenue
160 Service colleagues, and I am confident that the focused work underway and plans being developed will lead to tangible improvements. We will keep members and the public updated, and I expect by the time of my next Committee Statement in January to provide a positive report on the steps that are being taken.

Another area of significant challenge relates to IT. The States are terminating their contract with
165 Agilisys with effect from the end of this month, for reasons relating to its performance. There are legal and commercial reasons that prevent me from sharing more detail on that front, but States' Members have received a comprehensive briefing on the context of that decision, as well as the ongoing actions to manage a successful transition to the new multi-vendor model. Arrangements for the transition are on track, with a number of very experienced providers directly contracted to
170 provide services, including C5 and JT.

While the initial transition period is complex and sensitive, ultimately this new model will provide greater flexibility and accountability. It will also improve our resilience as an organisation and provide a better experience for users. On that theme, the Committee is pleased to be able to advise that the project to build the digital foundation for the States is well underway.

175 We are particularly mindful of the impact that the contract termination is having on Agilisys staff. While this is obviously not the appropriate place to delve into details of employment matters, I can assure Members that all of those people affected have been contacted by our team and that, broadly speaking, the IT needs have not changed. So for the majority of the staff involved, comparable roles have been made available either within the States or with partner vendors.

180 There has rightly been some focus on the governance around this transition, and I can confirm that the Committee is putting in place appropriate political oversight and constructive challenge that aligns with the Scrutiny recommendations. We are grateful to a number of States' Members for expressing an interest in supporting this work and we do intend to make use of the relevant skills and experience within this Assembly. We remain keen to make the most of Members in the areas
185 that they can add most value, on this particular subject and others, and we will keep in touch with those individuals as we develop plans in more detail.

One of P&R's most pressing priorities is to further explore, with a view to ultimately settling, the issue of sustainable taxation, the importance of which was underscored by yesterday's debate on the States' accounts. Deputy Parkinson will lead a sub-committee that will also include
190 Deputy St Pier to look at the potential options for Guernsey and Alderney, and he is determined to make this process as open and transparent as possible. Deputy Parkinson is keen to include independent experts in the process and to make them available to talk with and answer questions from the public and business community. He has plans to hold open meetings where that is possible and practical in order to shine a light on his sub-committee's workings and help the community to
195 feel more engaged with the work that is being carried out because, whatever the eventual proposals, this public involvement and understanding is an essential component.

A project that I will continue to be involved with is offshore wind, and Deputy Blin has kindly agreed to continue as the political lead on its delivery on behalf of P&R. It is clear that this project does have considerable potential for revenue raising, but there is a lot of work to do before its
200 feasibility and timelines can be confirmed, so I am grateful to Deputy Blin for his commitment to continuing this work.

I am pleased to report that we are now working with Alderney on a more formal basis to ensure that we optimise the potential for the Bailiwick through this work and cut out unnecessary duplication. I am also keen to ensure that we do not lose sight of the things that make a real
205 difference to people's lives through better co-ordinated policies that support the community, whether that is through family-focused initiatives, investment in skills development and lifelong learning, and the wider determinants of health to underpin a vibrant economy and make Guernsey a great place to live for young and old alike.

While we are actively working on how to better focus the Government Work Plan and develop that longer-term vision for the Island, it is clear that a top priority is, of course, housing, which is an essential foundation for a strong economy and social well-being. With that in mind, I am delighted to be able to announce that the States and the Channel Islands Co-op have agreed a deal that will ensure the long-awaited development of Leale's Yard can at last be progressed. The States will buy the site for £4.5 million with an aim of starting demolition work within 12 months.

215 As an immediate priority, P&R will work with the Committee *for the* Environment & Infrastructure and the Committee *for* Housing to significantly upgrade infrastructure in the area, which is absolutely key to getting this development right and opens up the potential for huge improvements in connectivity, amenity and quality of life. Conditions of sale have been signed and both parties expect the conveyance to be finalised by mid-August. I am keen to give credit to the former Policy
220 & Resources Committee, which negotiated the purchase.

The Co-op will retain a small section of the site to develop for housing and has committed to beginning this work within 18 months. Leale's Yard is covered in planning terms by a development framework which sets out a mix of uses, including commercial as well as residential. That will not change, but the overall layout and design is likely to vary from the outline planning permission
225 already in place.

This site is essential in terms of its strategic importance, especially in the context of the regeneration of the Bridge, the improvement of the transport network, and the provision of different types of housing to help meet the needs of the community.

230 Madam, while we as an Assembly know that there are difficult decisions ahead, I feel confident that by working together with a can-do spirit, we can face those challenges and make the most of the opportunities for the people of the Bailiwick.

Thank you, and I look forward to any questions Members may have on the mandate of the Policy & Resources Committee.

235 **The Deputy Bailiff:** Thank you. We have 20 minutes of questions.
Deputy Burford.

Deputy Burford: Thank you, madam; and I thank the President for what seems like a very encouraging update.

240 I am also pleased that she outlined the issues with the Revenue Service. That remains a concern for a great many Islanders and I appreciate the commitment to an update in six months, but is the President able to give us some idea of when she thinks the service will be back to its normal operating conditions?

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

Deputy de Sausmarez: I cannot give Deputy Burford and other Members that specific timeline at the moment, but what I can say is that the tanker has been turned and we are encouraged by the progress. However, I do not want to gloss over the complexity and the depth of the challenges. It is a really complex set of issues and there was a really useful exercise undertaken yesterday with senior officers in the organisation to properly understand the issues and start using that information to help frame the solution.

250 I am afraid I cannot give that commitment at the moment but I will commit to providing updates as soon as they become available.

255 **The Deputy Bailiff:** Deputy Laine.

Deputy Laine: Thank you.

260 The President of P&R made reference to Revenue Services and I do not think there is anything that has caused greater distrust in Government than the issues around Revenue Services, particularly getting unsubstantiated bills for aggressive time periods, while at the same time genuine refunds taking five, six months or more. It is all very well to sort out those issues, get to a steady state in the future, but I think we need more ambition than that and to start gaining trust.

265 **The Deputy Bailiff:** Can I remind you Deputy Laine that this is supposed to be a question.

Deputy Laine: Yes, I am just coming to the question.

The Deputy Bailiff: And you have only got a minute to ask the question.

270 **Deputy Laine:** Yes. Would the President commit to considering an ambition that when systems are improved that, in fact, there will be a maximum period that someone would have to wait for a refund and, if that is breached, they will either get interest or a payment?

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

Deputy de Sausmarez: I am certainly happy to take that suggestion and discuss it with people with a far better technical understanding than I do of the issues, but I would certainly agree with Deputy Laine that this has been one of the causes of a real erosion between trusts. Actually, I would also say it has massively impacted morale within the public service generally. It is important that we listen to people who have got the best understanding of some of those problems in order to actually make the solutions work.

The Deputy Bailiff: Alderney Representative Snowdon.

Alderney Representative Snowdon: Thank you very much; and thank you to the President for the very detailed update.

Could I just ask regarding the Alderney situation, does P&R still believe that the Alderney runway will come back this December for final approval on whatever that option is?

Thank you very much.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I thank Alderney Representative Snowdon for that very pertinent question. I think realistically it is going to be overly ambitious to bring it back before the end of this year, because I think that would require submission by September. But what I can assure him is that it is a very high priority and we will bring it back at the earliest opportunity. I think realistically that deadline might have to be missed but hopefully not by much, and I will keep him and others updated.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: The Housing Committee President has stated that he wants hundreds of houses built within a year. This Island simply does not have the land nor the capacity to do that. Will the President, along with External Relations and the President of Economic Development, work closely together to look at foreign builders, such as France and the new relationships that we have got with Brittany and Normandy, to ensure that the desires from the housing presence are actually deliverable, because Guernsey has not got the capacity to do it?

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I think Deputy Inder's question is around the capacity within the construction sector specifically. I would take issue with – I think the evidence suggests that there is enough land. It is really important that we work with our local construction sector in obviously any way that we need to increase capacity. I believe many of those conversations have already been underway, but it is important that we work closely with our local construction sector and make sure that any gaps in capacity can be met.

The Deputy Bailiff: Deputy Helyar.

Deputy Helyar: Thank you, ma'am; and thank you to the President for a very positive update.

I have given warning of this question. Yesterday, as a result of publication of an answer to a freedom of information request, it was disclosed that £100,000 in external legal fees have now been accrued in the attempted eviction of the much-loved tenant of the Fermain Beach Café, with that figure set to rise further. This sum represents almost three years of lost rent and the public revenue for those premises.

This appears to be another example of the wasteful and contentious exercise of this Assembly's delegated authority without the application of adequate political oversight. Will the President please assure Members and the public that her new Committee will take direct control of this worsening situation and bring it to a sensible negotiated closure as soon as possible?

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Deputy Helyar will be aware that this is subject to an ongoing legal case. So while the issuing of factual numbers in response to the freedom of information does not

compromise in any way that legal case, me offering any opinion on it might so I have been advised that unfortunately – I do thank Deputy Helyar for his advance warning on the issue – I cannot actually offer an opinion on it. What I can assure him is that the Committee has received a detailed briefing and will continue to give it ongoing scrutiny.

The Deputy Bailiff: Deputy Matthews:

Deputy Matthews: Thank you, ma'am.

A previous President of the Policy & Resources Committee had announced the Committee's intention to review the Relocation Directive, which is the responsibility of the Policy & Resources Committee. Does the current President agree with me that it would be useful for that review to be joined up with a review of the Population Management Law that the Committee for Home Affairs is also due to conduct?

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Yes, as Deputy Matthews well knows, this is a subject on which I have given very careful consideration because it was very much involved in the mandate that I previously held. I do totally agree with him that this is something that needs to be addressed and I think it is important that we work with the relevant Committees in order to find a solution because I think at the moment, inadvertently and for all the best reasons, the States are actually exacerbating problems within our local housing market.

So, yes, I will be happy to undertake that commitment to give it some careful and quick attention.

The Deputy Bailiff: Deputy Ozanne.

Deputy Ozanne: Thank you, ma'am.

I really welcome the President's commitment to greater transparency and accountability and particularly in putting in inter-Committee co-operation by putting particular P&R members on principal Committees. Many of us sit on more than one Committee. However, I have been surprised to learn that we cannot talk about or share information from another Committee when we sit on a certain Committee.

I am just wondering if the P&R principals who will be sitting on our Committees are under that same confidentiality commitment.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I think there are some issues which have to be kept confidential for good reason, but the whole reason we cross-pollinate, to use a probably inappropriate term, Committee members on different Committees is precisely so that relevant information where useful can indeed be shared.

If there is any lack of clarity, I suspect it might be an issue for SACC. I do not know, but I would be happy for suggestions and to have that conversation. I cannot say I am a particular expert in it, but I would be more than happy to look into it with Deputy Ozanne or anyone else who is interested.

The Deputy Bailiff: Deputy Blin.

Deputy Blin: Thank you, ma'am.

I would like to thank the President of Policy & Resources for her speech of the term with a positive tone. Also to thank her for confirming the ongoing support or drive towards the offshore wind project, which I will be pursuing with vigour and fervour from now.

But the question I would like to ask is: in her speech she mentioned about Leale's Yard, about the different parts of the commercial, residential, etc., and saying the planning will change. So that is a great positive one. Is there any form of timeline or indication of how this will take place?

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The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I indicated a couple of timelines in the statement. One commitment is that demolition will begin within 12 months, but obviously sooner if it can be done sooner. With respect to planning, there is currently outline planning permission which exists and it is likely that some of those details will vary. We are particularly keen, or I am particularly keen, the Committee is particularly keen to work with the Committee *for the Environment & Infrastructure* because we know only too well that actually in terms of connectivity in the transport network, there are a number of issues there at the moment, and actually this provides an opportunity to improve that network.

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So I think there will be some close working with that Committee to make sure that that is properly thought through, and of course the Committee *for Housing* as well, in terms of meeting the needs of the community in that area.

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The Deputy Bailiff: Deputy Gabriel.

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Deputy Gabriel: Thank you, ma'am.

I would like to ask the President – I firstly thank her for her positive Update Statement – about food security, which falls briefly under E&I's mandate as well. She touched on the EU-UK reset and how that might open doors for the continent to supply us. Could she elaborate on that, on how that might work in practice?

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Thank you.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I think the very simple answer is we might look to bring more food in from the southern route. I know that it already does happen to a limited degree. It is an issue which the previous Committee *for Economic Development* was certainly very keen on. I assume that that is going to be a matter of interest for the current Committee as well. So I think it is a question of working with them using the existing transport links and making sure that we can maximise it.

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But, as I mentioned, the UK-EU reset negotiations do touch on some of those border issues, so we are hoping that that will actually open up opportunities for us, and I can commit to looking for those opportunities where they would benefit the Island.

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The Deputy Bailiff: Deputy Gollop.

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Deputy Gollop: Congratulations to the new team for a flying start. Interesting about mixing Resources and Treasury, that is good, and having principal leads on Committees, hopefully for Home as well. My question is: in the last States we had a number of Members who did not sit on principal Committees, how will P&R seek to involve them as well so that we get everybody well-informed of initiatives before we get to debate or media releases?

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The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I think Deputy Gollop's question raises two distinct areas. One is communication and the other is involvement, proactive involvement. I think I actually touched on both in my update, but anyway, as I mentioned then and I have mentioned previously, we are really keen to use the skills and experience that sit within this Assembly where they are of best value. I think actually Deputy Blin is a perfect example of that.

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440 He has got skills and interests in a number of areas and obviously he has got a lot of experience leading on the offshore wind project, and that is something which he has agreed to continue to be the political lead essentially on behalf of the P&R Committee. That is one example of that. We do intend to use the skills within the Assembly and those conversations are ongoing, so I hope to provide more detail as soon as I can.

445 In terms of communication, there are a number of different things that we want to do. One of those, I mentioned very briefly, is drop-ins, and so apart from the standard channels of communication, as a Committee we are very keen to reformulate what used to be known as the President-to-President meetings, which is never a particularly good name for them, I do not think, but make sure that we do have a good framework for information sharing.

450 But to Deputy Gollop's point, it is really important that that includes the whole Assembly. So I do think we need to pay particular attention to how we communicate news and invite involvement from everyone. But, as ever, very open to suggestions.

The Deputy Bailiff: Deputy Vermeulen.

455 **Deputy de Sausmarez:** Thank you, ma'am.

I thank the Chief Minister for a fantastic update and I am looking forward to open and collaborative working over the next four years. One of the mistakes we made in the last term was acquiring loads of sites to build housing on, but actually building zero. So it is with interest that I hear about Leale's Yard, and I just wonder if I could get some assurance that there will indeed, over the next four years, be some housing built on that particular site.

The Deputy Bailiff: Deputy de Sausmarez.

465 **Deputy de Sausmarez:** The answer is yes, lots. The other thing, I was subject to – I was one of the people very frustrated by the lack of possibility of moving some of those sites forward last time. There were various reasons, but actually one of the most important pieces of that puzzle is the IDP review, which I know that the current DPA will be treating as an absolute top priority.

470 If I can just be slightly cheeky – I hope I have answered Deputy Vermeulen's question – I did want to clarify in response to Deputy Ozanne earlier, she mentioned that P&R members will be sitting on principal Committees. I just want to clarify that that, of course, is not the case. We are there to act as a touch point, I suppose, first point of call. But certainly we can come and sit with Committees at their invitation if that is how they would like our support. But I would just like to clarify for the record that we are not sitting on principal Committees, that would not be appropriate and that is not the plan.

475 So I just hope you do not mind me using the time to clarify that.

The Deputy Bailiff: You are forgiven, Deputy de Sausmarez.
Deputy Cameron.

480 **Deputy Cameron:** Thank you, ma'am; and I thank the President for a first update.

We have recently agreed to loan the Sark government £1.5 million to purchase Sark Electricity. Could the President confirm whether we have also committed any officer support to help them through the complex process of transitioning to a publicly-owned electricity company?

Thank you.

485

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I am not aware of any commitment, but I think those conversations are certainly ongoing and I think we will just have to see what they need. I do know that they are getting

490 support from other areas as well, so I would not like to give a commitment that I am not conscious
of at this point in time, but I will keep Deputy Cameron up to date.

The Deputy Bailiff: Deputy Kazantseva-Miller.

495 **Deputy Kazantseva-Miller:** Madam, the President mentioned that the resources bit of the
Policy & Resources mandate will be led by Deputy St Pier. Could the President outline in more detail
her vision as to how the policy bit of the mandate will be discharged and whether it also means
more involvement in policy setting by P&R at Committee level?

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

Deputy de Sausmarez: Yes, there are two strands to that. That is, as I have always made clear,
one of the areas where I think previous P&Rs have not been as proactive. I am very keen that this
P&R does take a more active and supporting role in terms of policy co-ordination. One of those is
505 the element that Deputy Ozanne touched on, actually, in that we have allocated a lead for each –
P&R champion for want of a better word, for each of the principal Committees and STSB. Another
is the information sharing through what used to be the President-to-President's meeting.

But also as I touched on in the Update Statement, we are looking at how we can better focus
the Government Work Plan and make sure that we are properly co-ordinating policy at that high
510 level. I do not have the details yet, very open to suggestions, but it is something that this P&R does
intend to improve.

Thank you.

The Deputy Bailiff: Deputy Inder.

515

Deputy Inder: Thank you ma'am.

GST-Plus is the agreed States' policy. Will the President confirm that the work to implement that
is still on track for delivery by 2027?

Thank you.

520

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Yes I can confirm as far as I am aware there has been no change to that
timeline. Obviously the work that Deputy Parkinson will be leading in the sub-committee will feed
525 into that process, but I can confirm that there is no attempt to derail that work at the current time.

The Deputy Bailiff: Deputy Camp.

Deputy Camp: Thank you.

530 The statement is particularly light on the current economic lever of our Island, which is our
finance industry. Could I please ask for some clarity on what priorities will be taken forward in
relation to our finance industry?

Thank you.

535 **The Deputy Bailiff:** Deputy de Sausmarez, to the extent it covers your mandate, you are
welcome to answer the question.

Deputy de Sausmarez: Yes, I think it is important that we take our lead from the Committee *for*
Economic Development because it falls far more in that Committee's mandate than ours.

540

The Deputy Bailiff: Deputy Bury.

Deputy Bury: Thank you, madam.

545 Just building on the Revenue Service questions, has a member of P&R been allocated to be our dedicated person around that? As someone who gets regularly mistaken for having this in their mandate, it would be good to know who to send people to.

The Deputy Bailiff: Deputy de Sausmarez.

550 **Deputy de Sausmarez:** Yes, I am afraid the person who has drawn the short straw on that account is Deputy St Pier because he is the Resources lead and, as I explained in the Update Statement, that includes human resources as well as financial resources, so it does fall within that particular role.

555 I am genuinely more optimistic but I do not want to put a gloss on the problems. I do not want to pretend that it is all okay. It is very much still in the mire but we are working through it.

The Deputy Bailiff: Deputy Hansmann Rouxel.

Deputy Hansmann Rouxel: Thank you.

560 Just following on from the talk of the Revenue Service and since under P&R human resources is part of that mandate, could the President give some assurance to those officers working in the Revenue Service that, as far as possible, a campaign will be, or information will be imparted, to the public so that the intense frustration that the public feels is not taken out on those officers who, for whatever reason, it is beyond their control that things are going so badly wrong and yet they are at the frontline and morale is so incredibly low.

The Deputy Bailiff: Deputy de Sausmarez.

570 **Deputy de Sausmarez:** This was underscored a week or so ago. An old friend came up and I knew they worked somewhere in the States and I asked them where they were working at the moment and they checked around them 360 degrees before whispering furtively, 'Tax', because they do not dare say it out loud in case of the potential for abuse. I do agree with Deputy Hansmann Rouxel that is a real issue.

575 I would say that I think part of the problem with morale is that some of the public facing communications have not necessarily given a particularly accurate – they might have been actually a little bit over-varnished, over-optimistic in terms of where we have been, and I think that has been actually one of the causes of a real hit in morale.

580 I do agree with her suggestion, I think it is a good one, but I would reiterate that this is very much a live situation in terms of engaging with those staff. There was an event that took place yesterday between senior officers and the staff in the Revenue Service, and I have had a report back to say that they have never seen engagement so high.

585 So, although, yes, I completely agree with her that morale, for very understandable reasons, is very low, engagement on the issue and a real desire to turn that around is very high. But I think her suggestion is a good one and I will endeavour to take that forward.

The Deputy Bailiff: Deputy Gollop, Alderney Representative Snowden and then Deputy Camp and then that will be the close of questions.

Thank you very much, Deputy Gollop.

590 **Deputy Gollop:** Thank you kindly for giving us a small extension. Deputy Kazantseva-Miller asked a key question on policy and I was a little disappointed, although I think we achieved a lot we did not do as P&R on social and environmental policy. So my question to the new Committee and the new President is: will you attempt, as I think Deputy St Pier did in the past, to have more

595 joined up social and environmental policy across the States, and including especially the third sector
and working on the commissioning model to get that further down the line?

The Deputy Bailiff: Deputy de Sausmarez.

600 **Deputy de Sausmarez:** Yes, we do have a fairly new commissioning role within the States and
I think that has real potential. Again, this touches on what I mentioned in the Update Statement
about establishing better two-way – and I do stress the two-way – channels of communication with
the community and with the business sectors. So I do think it is important that we are receptive to
the needs and aspirations of those different groups and of course listen very carefully to what the
Committees with particular interests in those areas, in those policy areas, have to say on the matter.
605 But I do think this P&R can hopefully take a much more proactive role in terms of knitting that
together.

It does also feed into that higher-level, longer-term vision for the Island, so I am hoping that we
can make something much more cohesive and clearer that we can all work to.

610 **The Deputy Bailiff:** Alderney Representative Snowdon.

Alderney Representative Snowdon: Thank you very much.

I am pleased to hear that the Bailiwick hopefully is working stronger together and it is really nice
and refreshing from P&R. But could you also confirm that you are reaching out to the States of
615 Jersey on things such as wind farms, air connectivity and the Channel Islands is also working
together as well?

Thank you.

The Deputy Bailiff: Deputy de Sausmarez.

620 **Deputy de Sausmarez:** Yes, absolutely. As Alderney Representative Snowdon will remember, I
personally in my previous capacity had a very close working relationship with Jersey. It was probably
remiss of me not to mention it in this update but, absolutely, that work continues and those
conversations continue and I see no reason – in fact I think there are lots of good reasons because
625 of the broader geopolitical context, I think it is actually more important than ever that we look to
our regional interests as well as our particular insular ones.

But this is where Deputy Le Tocq and his extensive experience is particularly key. I am very
reassured that those matters are in his very capable hands. But I would certainly be looking to
facilitate and encourage any such conversations across the whole of the Channel Islands and,
630 indeed, the Crown Dependencies, where relevant. Even sometimes it extends beyond that to other
jurisdictions as well.

We have really good forums, like the British-Irish Council. We work very closely at diplomatic
level as Crown Dependencies. So there are a number of joint initiatives, and I do agree with him
those conversations are important.

635

The Deputy Bailiff: Deputy Camp.

Deputy Camp: Thank you.

640 I ought to have more carefully crafted my earlier question. What I would like to ask is around
the P&R Committee's intentions in relation to the regulation of financial services, which of course
are a key part of our economic enablement.

Thank you.

The Deputy Bailiff: Deputy de Sausmarez.

645

Deputy de Sausmarez: I know this is an area that Deputy Camp has a real interest in and probably considerably more knowledge than I do. I cannot say hand on heart, with the two weeks that we have been in office, that this is something that we have discussed in any detail yet, but I am certainly open to having conversations with her and anyone else with an interest in it.

650

The Deputy Bailiff: Thank you.

That closes question time to the President of Policy & Resources. Members, it is again getting rather warm in here, so if you want to remove your jackets, you are very welcome.

Questions for Oral Answer

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

Bus Service –

Scheduled bus contract transfer, additional passenger numbers, additional routes

The Deputy Bailiff: We will now turn to the questions pursuant to Rule 11 and the question posed by Deputy Gollop to the President of the Environment & Infrastructure Committee.
Deputy Gollop.

Deputy Gollop: Madam Deputy Bailiff, I first congratulate the new Committee for Environment & Infrastructure and the President in his role.
My first question is: are the Committee on current information data and evidence satisfied that the scheduled bus contract transfer from CT Plus Tower Transit to the Stagecoach group has gone smoothly and efficiently in terms of output growth and customers servicing expectations? (After three months duration).

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, madam.
I can confirm the transition to a new provider has gone extremely well. The main objective was to ensure a smooth transition with as little disruption to the travelling public as possible, which was achieved.

The Deputy Bailiff: Any supplementary questions, Deputy Gollop?

Deputy Gollop: Yes, I would concur the team of drivers are good on customer service, although sometimes introduce UK ideas like not stopping on diversionary routes. But my question specifically is the bus app is very useful but since Stagecoach has taken over they do not show clearly road diversions and therefore bus stop and bus route diversions. Is there a technical reason and can that be rectified?

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Ma'am, I am not at liberty to provide essential detail like that, I am afraid, without notice. I will commit, though, to getting back to Deputy Gollop in writing around that particular issue.

685 Thank you.

The Deputy Bailiff: Any more supplementary questions? No? In that case, we will turn to the second question posed by Deputy Gollop to Deputy Gabriel.

690 **Deputy Gollop:** Aside from the published figures, are the Committee preparing and encouraging additional passenger numbers and working with the operators to increase usage and demand and active travel better journeys?

The Deputy Bailiff: Deputy Gabriel.

695

Deputy Gabriel: Thank you, ma'am; and I thank Deputy Gollop for his question.

In its first three months of operation – and it is important to recognise that it is only three months – Stagecoach has focused on driving numbers, recruitment, maintenance and cleaning of vehicles. Improvements have already been seen in these areas to ensure an efficient and reliable service is delivered.

700

Some minor changes to the timetable are due to come into force in September, which will support the school bus provision, providing additional options for students. For example, moving the 51 service in the morning forward 10 minutes to ensure students catching this will arrive at Les Varendes High School on time.

705

As the Committee becomes more established, we will continue to work with the bus operator to promote the services with the aim of increasing numbers.

The Deputy Bailiff: Any supplementary questions?

710

Deputy Gollop: Yes. Recently published figures for May 2025 show 176,651 passengers use the services, which is the highest figure since pre-COVID and is encouraging. Will the Committee continue to monitor carefully the use of the bus services by both tourists and locals to ensure that the new company is performing as well as its predecessor or indeed outperforming it?

715

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, ma'am.

Yes, we regularly have monthly reporting figures back from Stagecoach and fare breakdown is included in that, although it is hard to determine who is a tourist and who is a local because everyone is using the Puffin card or their debit card.

720

The Deputy Bailiff: Any more supplementary questions on the second question? No, in that case we will turn to the third question that you are posing, Deputy Gollop.

725

Deputy Gollop: Additional routes, more efficient timings and routings and greater customer choice and frequency are important for customer maximisation and community development, economic enablement. Will the new Committee work with stakeholders and other Deputies to improve bus services and options for travel?

730

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Madam, as with the previous operator, we continue to make minor changes and improvements to the services when opportunities present themselves without impacting current services. For example, the recent introduction of a stop at Beau Séjour following the third sector conference last year. Stagecoach, who inherited the current timetable, has already identified a number of areas where potential efficiencies and scheduling improvements can be made. These

735

will be developed further in partnership with the Committee with a view to implementing any supported changes early next year.

740 **The Deputy Bailiff:** Supplementary question from you, Deputy Gollop.

Deputy Gollop: I might have two. The first is, I can confirm as a user myself to numerous induction meetings that the Beau Séjour stop is very useful. My point is that Deputy Gabriel helpfully attended a bus user group recently during the hustings period, will the Committee liaise with bus users and indeed other transport campaigners?

745

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Madam, the short answer is yes. How we will do that is, when changes are made they are always in consultation with the public unless they are very minor and certainly at Committee level, so if any changes are to be made or improvements to the timetable, that will be with public consultation and the bus users group.

750

The Deputy Bailiff: Your second supplementary question, Deputy Gollop.

755

Deputy Gollop: One issue that came up during the election was the future of tourism. Will the Committee be liaising with the tourism sector and other economic development sectors about the best use of bus routes for both guests and indeed workers who are frequent users of buses? Will there be consultation with industries that have a role in active travel?

760

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Again, madam, the short answer is yes. The how. We are already negotiating with our colleagues at Ports about how we can serve the Ports better. So, yes, I welcome that improvement.

765

Thank you for the questions.

The Deputy Bailiff: If there are no further supplementary questions? State's Greffier, what is the next item?

Billet d'État XVII

770

ELECTIONS AND APPOINTMENTS

PANEL OF MEMBERS

1. Election of Deputy Chairman – Election of Chairman commenced

Article 1

The States are asked:

To elect, in accordance with the provisions of section 4(2) of the Administrative Decisions (Review) (Guernsey) Law, 1986:-

- 1. A Chairman of the Panel of Members, who shall be a sitting member of the States of Deliberation and who has held a seat in the States for a period of three years or more, to fill*

the vacancy which will arise on 1st July 2025, by reason of the expiry of the term of office of Deputy Carl Meerveld, who is not eligible for re-election; and

2. *A Deputy Chairman of that Panel, who shall be one of the Deans of the Douzaines but who shall not have a seat in the States, to fill the vacancy which will arise on 1st July 2025.*

The States' Greffier: Article 1, the election of the Deputy Chairman of the Panel of Members.

775 **The Deputy Bailiff:** Members, you may recall that on 7th July, Deputy Inder, who is not in the Chamber at the moment, was voted on to the Panel of Members. However, you did not vote for or elect a Deputy Chairman of the Panel of Members, and you will recall that the Deputy Chairman of the Panel of Members has to be one of the Deans of the Douzaine.

780 Do we have anybody putting forward a nomination for any members of the Deans of Douzaine Design to be Deputy Chairman? Deputy de Sausmarez, or Deputy Inder, somebody is going to put forward a nominee.

Deputy Inder: Yes, sorry, I beg your pardon, I was somewhere else. It is going to be former Deputy Al Brouard as the Dean of St Peter's.

785 **The Deputy Bailiff:** Does somebody second that?

Deputy de Sausmarez: I am happy to second.

790 **The Deputy Bailiff:** Are there any other nominations? Nevertheless, in accordance with procedure, we will need to have a secret ballot, so I am going to ask the Sheriff to come round with the – with a hat? Yes, so it is Al Brouard, former Deputy Al Brouard, who is a dean of the Douzaine of St Peter's. Has everybody handed in their pieces of paper?

In that case, States' Greffier, in order to keep momentum going in this meeting, can I invite you to announce what the next element of business is?

LEGISLATION LAID BEFORE THE STATES

The Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025 (Commencement) Regulations, 2025;

The Rented Dwellings (Minimum Standards) (Guernsey) Regulations, 2025;

The Housing Health and Safety Rating System (Guernsey) Regulations, 2025;

The Companies (Guernsey) (Recognition of Auditors) (Exemption and Approval of Rules) Regulations, 2025;

The Economic Statistics (Civil Penalties) Regulations, 2025;

The Economic Statistics (Guernsey and Alderney) Law, 2019 (Commencement) Regulations, 2025;

The Liquor Licensing (Fees) Regulations, 2025

795 **The States' Greffier:** Yes, the following legislation has been laid before the States:

800 The Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025 (Commencement) Regulations, 2025; The Rented Dwellings (Minimum Standards) (Guernsey) Regulations, 2025; The Housing Health and Safety Rating System (Guernsey) Regulations, 2025; The Companies (Guernsey) (Recognition of Auditors) (Exemption and Approval of Rules) Regulations, 2025; The Economic Statistics (Civil Penalties) Regulations, 2025; The Economic Statistics (Guernsey and Alderney) Law, 2019 (Commencement) Regulations, 2025; The Liquor Licensing (Fees) Regulations, 2025.

805 **The Deputy Bailiff:** Thank you. Well, there has been no request for any annulments, so therefore we will move on to the next item of business.

Billet d'État XVI

LEGISLATION FOR APPROVAL

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

1. Reform (Guernsey) (Amendment) Law 2025 – Proposition not carried

Article 1.

The States are asked to decide:-

Whether they are of the opinion to confirm Resolution III of Billet d'État VII of 2025.

The States' Greffier: Yes, madam. Billet d'État XVI, Article 1, the Reform (Guernsey)(Amendment) Law 2025.

810 **The Deputy Bailiff:** Yes, although this is a Presiding Officer Proposition, I am going to be asking Deputy Hansmann Rouxel, as President of SACC, to open.

Deputy Hansmann Rouxel: Thank you, madam.

815 Madam, Members of the Assembly, today we ask a simple question: do we wish to confirm the change to our Reform Law that would raise the threshold for holding a by-election from one vacancy to three? As the newly constituted States' Assembly and Constitution Committee, we are asking Members not to confirm that resolution to vote contre.

820 At face value, the change may seem modest, but beneath the surface it reflects a shift in how we value representation. If we start redesigning the mechanisms of democracy to save money, to simplify administration, or to respond to temporary pressures, then we risk weakening the very foundations we are here to protect. There is a reason Article III, paragraph 4 of the Reform Law exists. It acts as a safeguard in our democracy. It may seem awkward. After all, a simple majority vote, not two thirds, triggers only a brief pause of seven days before the legislation proceeds, unless seven Members object. That pause is there for a reason.

825 If those seven Members object and there is a three-month pause, as there has been in this case, it gives the States one opportunity to consider whether it is truly necessary to amend our primary legislation, legislation that effectively forms part of our Constitution. This is where we are at.

830 Constitutional changes deserve extra scrutiny. They must be made carefully and for the right reasons. Having examined the policy letter, revisited the debates back to 2019, May 2024, March of this year, I must be honest, the evidence presented is weak and the justifications do not withstand scrutiny.

835 One of the key arguments in favour of this change is that losing one or two Deputies under Island-wide voting is somehow acceptable because we no longer have parish-based representation. But that logic does not hold. Each Deputy is elected to represent the whole Island. That is the very premise of Island-wide voting. Every Deputy is accountable to every voter, so that when a Deputy resigns or dies, it is not just a Committee vacancy, it is the loss of a representative that every Islander

helped elect. Whether you are talking about one out of five in a district system, or one of 38 under the current system, each Deputy carries a distinct democratic mandate.

840 To suggest that one or two vacant seats are insignificant is to diminish the value of the voter's choice. Deputies are not interchangeable. If someone is elected, for instance, on a strong platform, say environmental reform, housing, social justice, or education, and they step down, there is no guarantee that that view will be represented again unless a by-election is held. Their absence is not just numerical. What if someone with years of experience serving on multiple Committees happens to be that Deputy that steps down? Or the poll topper? Would we really say their absence does not matter?

845 The system is not designed to distinguish between who we lose, because every seat matters. We are each elected as one of 38. We all carry the same weight, the same mandate, and we all matter equally. Our Constitution provides for 38 Deputies and two Alderney Representatives. If one of the Alderney Representatives is unavailable, provision is made to replace them. The principle is clear. Every constituency deserves full representation.

850 So why would we now create a rule that says Guernsey can manage with missing Deputies? Are we really saying that the Alderney representation is fixed, but Guernsey's can be reduced by nearly 8%? No.

855 There is also the cost argument. By-elections cost too much. It is the most repeated claim but the evidence is not there. It was not in the policy letter. In the previous debates, Deputy Gollop pointed out that Jersey ran a full senatorial by-election for £30,000. Our last parish by-election in the Vale cost between £30,000 and £40,000. Prior to that, St Peter Port had a by-election over £50,000. Costs are speculative, but also controllable.

860 A single-seat by-election does not need to mirror the complexity of a general election. We are not electing 38 from over 80 to 100 candidates. We could use simpler arrangements, perhaps parish-managed with minimal infrastructure. We have done it before. It is simply changing the mindset to do things differently. Democracy does not come free, but the cost of weakening it is far greater.

865 Another argument put forward is that turnout is too low to justify a by-election. Turnout by by-elections is naturally lower, but that does not make them less democratic. If we judged legitimacy by turnout, would we cancel elections where only 40% vote? Or 30%? Of course not. That is not how representative democracy works. If anything, low turnout should prompt us to work harder to engage the public, not deny them the opportunity to vote altogether.

870 We have also heard the claim that vacancies are rare, so by-elections are not needed. If vacancies are rare, then the impact of retaining the existing system is minimal. That weakens the case for change, it does not strengthen it. We are not overwhelmed by by-elections, so why would we pre-emptively reduce representation for the sake of a hypothetical problem? If we look beyond our shores to other small jurisdictions, with comparable parliamentary sizes, a clear pattern emerges. In the Isle of Man, with 24 Members in the House of Keys, a by-election is held for just one vacancy. In Jersey, with 49 elected Members, it is the same. A single vacancy triggers a by-election unless it is very close to a general election. In the Faroe Islands, with 33 Members, representation is restored swiftly through substitutes or by election. In Malta, they use single transferable voting and fill vacancies by recount, not letting them sit empty. Still, one vacancy, it gets filled.

875 Yet here in Guernsey, we are proposing that three seats, nearly 8% of this Assembly, can remain empty before anything happens. There is no democratic precedent for this. Across the jurisdictions I have mentioned, and indeed anywhere, a single vacancy always triggers a replacement process. This is not just a technical matter. It is a democratic deficit. It means that for months, potentially years, part of our community could be left without a voice in this Assembly. We must also recognise the risk of drifting from principle.

885 Once we start adjusting the rules of representation based on our convenience, or cost, or turnout, we open the door to further erosion. Today, it is three vacancies. Tomorrow, perhaps, we say, we do not need by-elections at all, or we decide certain communities are represented enough. The point is, rules grounded in democratic principle must be protected, not manipulated to suit the

moment. Representation is not optional. Our duty as Deputies is not simply to fill seats, but to defend the integrity of the system we serve.

890 We should not amend our Constitution simply to accommodate the cost or complexity of the electoral system we have chosen. If Island-wide voting is expensive, then let us make it more efficient. But let us not erode fundamental democratic rights to make it fit our budget. Our Constitution should set the standard for representation, not bend to fit or suit the system. That is the wrong way around.

895 The Reform Law gives voters the right to be represented. The previous States tried to change that right. This States now has the opportunity to restore it. Let us vote against this Proposition, not because we reject reform but because this particular change would tilt us further away from democratic constituency. Every voice matters, every seat counts and democracy should never be sacrificed for convenience.

900 Thank you.

The Deputy Bailiff: Who else wishes to speak in debate on this matter?
Deputy Vermeulen.

905 **Deputy Vermeulen:** Well, that was quite a surprise really to hear that. That was agreed in the last term, we did not have any by-elections, nobody stood down at all. But we have had a referendum on voting and the public have told us that they want Island-wide voting and we have got to respect that. So to talk about possibly doing a contested election in a Douzaine and having everybody going in there and voting, I wonder if that is actually achievable.

910 There is a cost to Island-wide voting which is significant and we should not forget that. But the other point I would make is that in this recent election, many members of the community have told me that we have got far, far, far too many Deputies in the Assembly. I was surprised to hear that. It was from young people right through to older people that had that –they listened in to these debates and they found there were just too many opinions.

915 So I think if you ask those people, they would probably say that, yes, we could manage with three less quite easily. They probably say you could do with 10 less, and maybe some would even say 20 less, but there we go.

So I am minded to probably support this going through, because I think it is probably fair and accurate. I do not think we are going to have three Members leave in this term, but given those points I have made, I think I am going to support it.

920 Thank you.

The Deputy Bailiff: Deputy Gollop.

925 **Deputy Gollop:** I have been an amateur historian of the States inasmuch as I like to look back not only to the periods I have served, but the periods before my time in a sense. The Island, of course, had Island-wide Conseillers, Jurats, before that, who were elected by an electoral college similar, but not the same as the Jurats Electoral College, which included at one point Rectors and Douzeniers and so on.

930 So we had Island-wide representation then, and briefly, for six years, Island-wide from the parishes. I believe the first iteration of Island-wide was a lot cheaper than the current system, but of course there were only 12. In those days the press issued a supplement and I think there were hustings in various places. I will come on to that in a minute.

935 But, sadly, in the late 1970s, early 1980s, there was, like today, a significant change in the membership of the States, not through electoral change; I am afraid through death. We had a lot of by-elections in that period when senior Members would pass on in office, and we were very fortunate in the last term that that did not happen to any of us. Hopefully it will not this term either, but in the previous term there were, very sadly, two deaths of people in office. So that is one reason

by-elections occur. We almost had an expelled Member as well during the last term, and that could have led to a by-election; hopefully that will not happen as well.

I thought Deputy Hansmann Rouxel, our new SACC President, made an outstanding and excellent speech, very well-researched, and therefore I will agree with her much more than Deputy Vermeulen, but there are two points on which I do concur with Deputy Vermeulen; two or three points.

The first is he rightly pointed out that the reason we are elected in what some would call a rather cumbersome system of 38 Members Island-wide – I supported a hybrid, but we will not go there – was because of the referendum, he pointed out. The referendum not only decreed that we will be elected Island-wide rather than through Douzaines or parishes or districts, it also said in the small print 38, not 28, not 33, not 35, 36 or 27, so we are really mandated to have 38. The second point that he raised about the perception for many people, including younger members, that there are too many of us, I think that is a debate for another day. It is about the Machinery of Government.

We know on SACC there is an outstanding resolution to look at that. We had that debate in the last States. Deputy Helyar brought a wide-ranging requête; Deputy Inder brought an amendment. We did not go for 28 or 33. Some of us might be grateful we did not, because it might have put a premature end to our career or not a renaissance. I think Deputy Hansmann Rouxel's point is right, that you cannot prejudge which seat will be empty or the personality that is right to fill it.

Looking at the United Kingdom with by-elections; by-elections there – admittedly it is a party political system – are very significant because they often provide a temperature gauge, a weathervane on how politics is going and whether there is satisfaction or dissatisfaction. Even in Guernsey I have seen that. Some of us expected Deputy Collins to get in easily when a seat occurred because of the tragic death of the then Deputy Jones, but Deputy Inder, who had not done so well in the previous election, made it. He stormed in and very much changed the temperature of the States. *(Laughter)*

I viewed it at the time that it was more just a battle between two personalities who have their supporters and other candidates. It represented a view, that there had been a little bit of a shift in the political weather. We have certainly seen that in the last month in Guernsey. Therefore I think by-elections can be useful for opposition or new voices or returning voices, but they also act as a check on the Government in a funny kind of way, or at least on policies. Whatever is the issue of the day the by-election will embody that, so I think they serve a purpose in that respect as well.

I think because by-elections are fortunately relatively rare nowadays – they were more common, for the reasons I have given. Also there was a technical reason why they were more common, because we constantly had people moving from Douzaines to being Deputies and Deputies to Conseillers and so on. That does not occur now. But if we put it to three, we are effectively abolishing any prospect of filling those seats. Deputy Vermeulen's point that there are too many of us still exists if there is 35. The argument that the public raise that there is too many of us partly relates to the long ballot list, but I think it is because people like me are droning on in the States all the time. **(A Member:** Hear, hear.)

We had one pundit who said, 'The usual droners are back again.' We can do without that, but it is partly about the self-discipline in the Assembly. I think if we appear to be doing more – building houses, being proactive, being consultative – there would be less of this chatter that there are too many of us. People think there are too many of us because – it is like they will say there are too many tax inspectors. Well, actually, we do not have enough tax inspectors, but that is the kind of mentality of that.

I just amplify, without going on any further, the point Deputy Hansmann Rouxel has made about the Jersey by-election. Yes, this might not be that accurate. It is from the September 2016 press release and media release, freedom of information. Jersey has 12 parishes. Jersey obviously has a much larger population and 2016 is nine years ago, but it only cost the States £32,000 to run the by-election, which was roughly £2.60 per voter. Website design and social media for the candidates was £8,500; leaflets, candidate manifestos and distribution was £11,500; and the filmed hustings was £12,000.

I believe there is room for innovation with by-elections. Let us say, to be absurd, there are 82 candidates for a by-election for one seat. That is still an easy election to run, a bit like Deputy de Saumarez was visionary yesterday when she suggested a different system for the Commonwealth Parliamentary AGM, because there were loads of candidates with loads of seats, but instead of needing a counting machine to do it or to tie up staff all day, we separated them on to individual bits of paper. Sadly I was unsuccessful, but that is the story of my life, but the point is that if there were 82 candidates for just one seat, even two seats, it would be easy to count. You would not need to hire in a luxury machine, you would not need to tie up 100 civil servants or public officials for the day. It would be relatively easy, especially if there was a low turnout, but even if there was 20,000 voting, if you had just one name, it would be easy.

The point about Douzaines was mentioned. It is not, as Deputy Vermeulen pointed out, an attempt to bring back parish representatives or Douzaine representatives. It meant that the Douzaines would have a role in manning the polling booths, as they do already, and maybe counting the votes through each polling station in their area, which they are more than capable of doing. We do that in St Peter Port for our Douzaine elections, which have five or six candidates, and that would be inexpensive. They might do it for virtually nothing or nothing, so I believe you can make a by-election a lot cheaper than the permutations of voting for 38 out of 80 or 120 candidates.

My final point there is let us have innovation. One area I do agree with Deputy Inder on, but he is ahead of his time, is that he suggested way back before 2020 that we could have one day electronic voting as an option, whereby young people or people of any age could go into not a polling station but have a cyber secure way of voting. I admit we might not be there yet, and I do not know if it will happen for the next election – it probably will not – but you could trial it in a by-election. That would be an interesting way of trying different things, or polling in a supermarket or polling on a Sunday. It would be a good testbed. It would be an experiment zone, a sandbox, as Deputy Kazantseva-Miller might say, if I have got the expression right.

So for all those reasons, I think that we should reconsider the decision we made. In fact, the fact that at least a third of us were unhappy about the decision is why it is before us today. So I think a new States should look at matters in the round and actually give ourselves the opportunity to maintain diversity.

Deputy Inder: 26(1), please, ma'am.

The Deputy Bailiff: Members, Deputy Inder has called for a 26(1). This is a guillotine motion. Those who still wish to speak, can you please stand in your place? Do you still wish the vote to be put, Deputy Inder?

So, Members, now it is necessary to vote on the guillotine motion. Those who support the guillotine motion, and this initially will be *aux voix*, please say *pour* – I have not asked for you to do it yet – and those against will say *contre*. So those who support that the debate be guillotined, say *pour*? Those against?

Members voted Contre.

The Deputy Bailiff: I do not think it is necessary to go to an electronic vote. Yes, Deputy Burford.

Deputy Burford: Thank you, madam.

The proposal before us today to delay a by-election until this Assembly reduces to just 37 Members or 35 Deputies is borne largely out of expedience. Before this community adopted Island-wide voting, the very idea of leaving a seat empty in this Chamber for a prolonged period would have been unthinkable. This change was floated because of concerns, perhaps anxieties, over the perceived cost of running a by-election under the Island-wide system, yet despite the wildly expensive figures being tossed around, no one has produced hard evidence – no data, no reports,

no real analysis – to show that the expense would be as dire as some might suggest. For my part, I offer no definitive figure either, but I find it difficult to accept that the cost would scale to the sky-high levels that have been casually asserted.

Experience tells us that very few people put themselves forward in a by-election. In June, with just over twice as many candidates as there were seats, each person had a roughly 50:50 chance of being elected, and that is a powerful incentive. But in a by-election for a single seat, any surge in candidate numbers beyond a handful drastically lowers the odds and discourages participation. In the past, where district general elections might attract 10 to 14 candidates for 5 to 7 seats, a by-election would often draw only 2 or 3 contenders. Once the perceived odds dropped below a third, people simply stopped coming forward. That is the reality.

As for the practicalities of undertaking a by-election, producing a manifesto booklet for four or five candidates, a genuine booklet, is an easily managed, locally completed task, compared to the sizeable operation in a full general election. Most other costs scale down accordingly, so if the major argument for not filling a vacancy is financial, then I say this: the cost is not high enough to justify the democratic and constitutional deficit of leaving a seat in this Assembly empty.

Some defend this proposal by pointing out that the Assembly continues functioning when Deputies are ill or absent, and of course we do, but illness and absence are not going to politely pause because we are already two Members down. I suspect there is another motive at work, a desire by some to reduce the number of Deputies altogether (**A Member:** Hear, hear.) using this policy as a Trojan horse for broader reform, but let us be honest with ourselves, this is not a useful path to that goal.

The Assembly rarely loses more than one Member during a term and in the last extended term it lost none. One must delve more than two decades into our political history to find a term where more than one seat was vacated and even then we only lost two. The issue of how many Members we should have –

Deputy Inder: A point of correction, ma'am.

The Deputy Bailiff: Yes, Deputy. What is your point of correction?

Deputy Inder: Deputy Burford said we did not lose a Member of Parliament last term. We did, actually. For one full year, we lost Deputy Chris Le Tissier.

The Deputy Bailiff: Deputy Inder, he was suspended. He did not leave the membership of the States, so I think there is a distinction.

Anyway, Deputy Burford, please continue.

Deputy Burford: Thank you.

The issue of how many Members we should have is already under review. The States Assembly & Constitutional Committee has been tasked to consult on the optimal size of this Assembly. I urge Members, make your arguments fair. Do not hijack this debate to settle another. Some may also glance across the Chamber and see a few backbenchers concluding that we are overstaffed but, as Macmillan observed, events happen. Committee workloads change, urgencies arise. Let me say this: for a diligent and self-motivated Deputy, the back benches are not a backwater, they are a platform.

As Scrutiny President in the last term, I saw this first-hand in Deputy St Pier, whose work with Scrutiny on the Government Work Plan Scrutiny Panel and investment review was tireless and invaluable. When not tackling that, he was diving into the depths of policy letters, bringing rigour and insight to the work of this Assembly. Backbenchers are not spare parts. They can be among our most focused operators.

I said at the start that this proposal rests on expedience, but expedience unsupported by evidence cannot be the foundation for constitutional change. More to the point, the structure of this Assembly should not be contorted to match a voting system. It is the system that must serve

1095 the Assembly, not the other way around. The States Assembly & Constitutional Committee will in due course weigh the wider questions posed by Island-wide voting, but that is a separate matter. For now, let us hold to principle, not convenience. Let us defend proper representation. I urge Members to reject this proposal and vote contre.

Thank you.

1100 **The Deputy Bailiff:** The maiden speech of Deputy Humphreys.

Deputy Humphreys: Madam, as a new Member, I was not aware of this proposal before I read the Proposition before us today.

1105 By not filling a vacant position you not only increase the work of the remaining Deputies, but also their individual power by virtue of each individual's net percentage influence over any future vote. Can it be appropriate that we pass a resolution giving ourselves authority to increase our individual power? That does not feel right to me. As Deputy Gollop said, the mandate from the Island-wide voting referendum was for 38 individuals and therefore I agree with
1110 Deput Hansmann Rouxel's position and believe we should vote against the Proposition. *(Applause)*

The Deputy Bailiff: Who else wishes to speak in the debate?

Deputy Sloan.

1115 **Deputy Sloan:** *[Inaudible 10.59.46]* against the – madam, apologies for the microphone. So I would like to speak against the resolution and in favour of the arguments put forward by the President of SACC. I shall be doubly checking which way I vote electronically, that I do not vote the wrong way, because there were compelling arguments. I do not believe you can put a price on democracy, but there is one tool that we would be removing from the parliamentary arsenal if we
1120 were to vote in favour of the resolution.

I talk about the tool of the parliamentary plebiscite, in which one can resign one's seat and call a by-election on a single issue, which I do not believe has been utilised in this Island. But it was famously utilised by David Davis MP in 2008, when he called a by-election on a matter of civil liberties, where I believe it was the detention in the Terrorism Act of 28 days to 42. He stood against
1125 that, and he obviously was in Haltemprice and Howden. That is, as many of you will appreciate, my neck of the woods back in Blighty and so I am fully aware of that fact.

But I do believe it is an important tool that we will be depriving ourselves of. Even if it has never been used, it has existence value and, in that respect, and for all the reasons already outlined by the President of SACC, I will be voting against the motion.

1130 Thank you, madam.

The Deputy Bailiff: Does anybody else wish to speak?

In that case, I will turn to Deputy Hansmann Rouxel to reply on behalf of SACC.

1135 **Deputy Hansmann Rouxel:** Thank you, madam.

Thank you, Members, who have contributed and tried to keep the debate brief. First, Deputy Vermeulen, I take on board his opinion regarding the cost. However, I believe my arguments on cost were better outlined. I would just like to add that cost should not be the reason why we do not proceed with democracy. We are in fiscally restrained times, but we have just spent £1.1 million
1140 on preparing for an Moneyval inspection. We spend over £1 million on the Office of the Data Protection Authority. We do that because it is necessary for Guernsey to function in the global economy, but let us be clear, a by-election is necessary for Guernsey to function as a democracy. Representation is not a luxury item when we cut budgets, when budgets are tight. It is the very foundation of our system that we are here to protect.

1145 Deputy Vermeulen raised what I believe my colleague, Deputy Burford, replied to, that this mechanism is not the mechanism to interpret or change how many people are in this Assembly.

That is not what we are voting on here, so I would urge Members, if that is what you wish to do, speak to SACC, because this is a part of our workload at the moment so there is no need to vote for this if that is the reason why you are voting for it. It is inconsistent with how we actually need to change the number of Deputies or indeed change the constitution on this matter.

Deputy Gollop, historian of States' procedure, gave us a little bit of background on some of the different by-elections and I thank him for his support as a member of SACC. Deputy Burford again reiterated many of the points I brought out, and again the argument there that the place for reducing the number or talking about the number of Deputies is actually in with SACC at the moment.

Deputy Humphreys, thank you for your maiden speech. I think the point that Deputy Humphreys outlined is that by choosing to do this, when there are vacancies, the remaining Members increase their individual power. That I think gets right to the nub of the constitution. We are constituted to be 38, and those 38 Members each have an individual voice.

Then Deputy Sloan mentioned, 'What price democracy?' and although I would not recommend anybody use the tool he outlined, which is resigning on a point of principle – and I do not believe it has ever been used in Guernsey – he is correct, it is a tool in democracies. However, I would hope that we never get to the point where we would need to use that, since we all have a collective voice in this Assembly.

So, Members, I ask you to vote against – so that is contre, for Deputy Sloan, who is thumbs upping – just to make sure on our use of the electronic vote, vote contre.

Thank you.

The Deputy Bailiff: Thank you.

You should have before on your screens the Proposition and, as Deputy Hansmann Rouxel has said, if you consider that there should be three vacancies to trigger a by-election, you should support the Proposition, but if you do not, you need to vote against it. So that is the Proposition that is before you, and I will now ask the States Greffier to open the voting, please.

There was a recorded vote.

Not carried – Pour 6, Contre 29, Ne vote pas 2, Did not vote 2, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Helyar, Mark	Blin, Chris	Hill, Edward	Curgenven, Rob	Kay-Mouat, Bruno
Inder, Neil	Burford, Yvonne	Snowdon, Alexander	McKenna, Liam	
Laine, Marc	Bury, Tina			
Parkinson, Charles	Cameron, Andy			
Vermeulen, Simon	Camp, Haley			
Williams, Steve	Collins, Garry			
	de Sausmarez, Lindsay			
	Dorrity, David			
	Falla, Steve			
	Gabriel, Adrian			
	Gollop, John			
	Goy, David			
	Hansmann Rouxel, Sarah			
	Humphreys, Rhona			
	Kazantseva-Miller, Sasha			
	Le Tocq, Jonathan			
	Leadbeater, Marc			
	Malik Munazza			
	Matthews, Aidan			
	Montague, Paul			
	Niles, Andrew			
	Oswald, George			
	Ozanne, Jayne			
	Rochester, Sally			

Rylatt, Tom
Sloan, Andy
St Pier, Gavin
Strachan, Jennifer
Van Katwyk, Lee

1180 **The Deputy Bailiff:** There voted pour the Proposition 6, contre 29, there were 2 abstentions and 2 Members were not in the Chamber at the time of the vote. I therefore declare the Proposition has not passed. Thank you.
States' Greffier.

COMMITTEE FOR HOME AFFAIRS

2. The Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) (Amendment) Ordinance, 2025 – Proposition carried

Article 2.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.

1185 **The States' Greffier:** Article 2, the Committee for Home Affairs – The Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) (Amendment) Ordinance, 2025.

The Deputy Bailiff: Deputy Leadbeater.

1190 **Deputy Leadbetter:** Thank you, madam.

This draft Ordinance will bring the Bailiwick in line with current legislation in England, Wales and Scotland, introducing specific offences for the sale or hire of knives to under-18s and strengthen related police stop and search powers. The resolution directing this resulting draft Ordinance has been outstanding since 2008. The 2008 policy letter sought to amend the Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2006 to introduce controls on the sale and marketing of knives, blades and other sharply pointed objects in an attempt to stop them from being used in an unlawful activity.

To achieve the aim, the resolutions following the 2008 policy letter approve the proposals in that policy letter to make it an offence to sell, offer or attempt to sell knives or other bladed or sharply pointed objects to people under the age of 18, to make it an offence to market a knife, blade or other sharply pointed weapon in a way that suggests it is suitable for combat or is otherwise likely to stimulate violent behaviour, using that object as a weapon, and to give the police the same powers of entry, search and seizure and the courts the same powers of forfeiture in relation to blades and sharply pointed articles as in the Knives Act 1997.

1200 The States also approved the proposals in the policy letter to strengthen the police powers under the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003, PPACE, in relation to stop and search, where an officer has reasonable suspicion that a person is in unlawful possession of a knife, blade or other sharply pointed item. It is important to note that while the 2008 to 2012 States did approve the proposals in the 2008 policy letter, the resolution stated that it should not be made an offence to offer for sale or attempt to sell a knife or knife blade that is designed for domestic use to a person aged 16 or 17.

As the draft Ordinance will impact both Alderney and Sark, a consultation was required in relation to the amendment to the PPACE. Engagement was undertaken in February this year and I am pleased to inform the Assembly that neither of the Policy & Finance Committees in either Alderney or Sark raised any issues with the proposed changes.

Secondly, the offence relating to sale of knives to under-18s also covers hire of knives to under-18s, as the former Committee considers this consistent with hire being covered under the new marketing of knives offences, and as hire is included in the Scottish version of the offence relating to sale and hire to under-18s. While a former Committee considered this to be within the spirit of the policy approved in 2008, I wanted to flag this up to bring it to Members' attention.

Thirdly, the original policy provided for introducing similar provisions to those in the UK. The wording of the new provisions reflect this. The UK provisions relating to the sale or hire of knives to under-18s includes a power to provide an exemption by statutory instrument from that offence, which has been used in the UK to exempt two kinds of knives of blades.

For information, the Committee has made a decision to propose to make a statutory instrument very similar to that in the UK, exempting razor blades that are permanently enclosed in a cartridge or housing and unfolding pocket knives with a blade of less than three inches or 7.62 cm. The first exemption would then allow sale to under-16s of safety razor blades for shaving, etc. and the sale or hire of small pocket knives to under-18s. Under-16s will not benefit from the domestic use exemption, which only applies to 16 and 17-year-olds.

The pocket knife exemption is also consistent with the exemption which currently applies to the current Bailiwick offences of having an article with a blade or point in a public place or having an article with a blade or point on a school premises under section 5 and 6 of the Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2006, which do not apply to pocket knives with blades under 3 inches.

The draft Ordinance would strengthen police stop and search powers in our legislation. Members will see that powers of stop and search in anticipation of violence are widened to add a new circumstance in which those powers can be used. This is where a senior police officer reasonably believes persons are carrying dangerous instruments – this includes knives – or offensive weapons without good reason. The time for which a senior police officer may extent authorisation to the stop and search powers is also increased from six hours to 24 hours, which is consistent with similar provisions in the UK.

The Committee understands that further changes are being explored in England and Wales, following the horrendous attack in Southport last year. This does mean that our legislation could again be behind that of the UK. However, the Committee has been reassured that further changes could be made relatively quickly and easily if desired.

Madam, I commend this legislation to the Assembly.

The Deputy Bailiff: Does anybody wish to speak in debate?

Deputy Inder.

Deputy Inder: Yes, ma'am.

I cast my mind back to that debate. As someone who spearfishes quite regularly, I did mention it at the time. Deputy Leadbeater may or may not remember, as some Members still here as well, that I made some representations in debate over my concerns about people continuing a legitimate hobby down the beach will have sharp implements on them. The end of a spear is a sharp instrument; it is either used by compress gun or elastic bands.

I will approve the legislation as it stands, but I just wonder, if the President cannot answer it now, if he could respond at some point in the future. Where the sale of spearfishing equipment is now precluded under this Law to under 18-year-olds and, importantly, I am somewhat comforted about the word 'without good reason'. It is pretty obvious if you are walking down a beach with a pair of fins and some snorkels heading into the sea, you are probably not trying to shoot anything on land, but something in the sea. I will accept this. I wonder if the President could give some commitment

for the fishing and spearfishing community that spearfishing and the implements used in those will not be captured directly by this legislation.

Thank you.

The Deputy Bailiff: Does anybody else wish to speak?

Deputy St Pier.

Deputy St Pier: Madam, this is an item of legislation which, as the President has said, has been outstanding for a considerable period of time. It has appeared on the to do list for many years and, indeed, through the various opportunities to debate the outstanding list of legislation, I have repeatedly raised the question that if it was required in 2008, and here we are 17 years later and only just getting round to it, how necessary is it really?

The President has obviously made the case for that in opening the debate but I think it is an interesting observation that this Assembly, as we have noted before, frequently passes resolutions and then fails to act on them for considerable periods of time. I think it is right and appropriate that, in those circumstances, we should continue to question the validity of the resolution.

However, I rise mainly, madam, to make the point in relation to the Police and Criminal Evidence Law here in Guernsey and to note that that too is significantly out of date, or certainly behind the curve, in relation to the other jurisdictions, including England and Wales, to which the President is making comparisons in this legislation. I am conscious that the previous Committee was unable to make much progress in relation to the Justice Review during the last term and no doubt it is an active piece of work for the President's new Committee during this term.

What I am seeking, madam, if the President is able to give it during his reply to this speech, is an undertaking that the completion of that work and, in particular, its focus on the Police Powers and Criminal Evidence Law in Guernsey is a priority for this new Committee and there is a determination to review that and bring policy recommendations to this new States of Deliberation during the term that we are sitting. I would be grateful, if the President is able to, give that undertaking when he replies because I think it is a significant part of this particular story and the legislation for us today.

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Yes, I did not think I would speak because I thought Deputy Leadbeater covered all the bases very well, and his summary is very accurate of our pleadings, but Deputy St Pier brings me to my feet to perhaps respond to a few points.

I had a text question from somebody as to whether the new Law would apply to 16 or 17-year-olds who were legitimately carrying knives perhaps because they were going to a training college for chefs. I think if the statutory instrument does cover that, it exempts in certain circumstances, but what this legislation is about is answering a call. I believe, in the millennium noughties decade, there was an increase in knife crime and Guernsey reacted, but we did not come up with the legislation.

We are now seeing a new issue perhaps and new culture of young people hanging around more. There seem to be less youth clubs than there were. It is always good to have a preventative community policy and act proactively, and I think this is really a safety first legislation that gives the police the tools to do the job but does not hopefully restrict traditional boyish or adult activities such as fishing and so on.

On the wider questions that Deputy St Pier raises, I asked the same point of why this has been delayed. One easy answer was the impact of Moneyval and anti-money laundering and forensic intelligence because that took up what limited resources we have in terms of legislation and policy officers. Contrary to popular belief, the Civil Service is not overstaffed with people at that skill level.

As far as I am concerned, I am interested in moving ahead with everything from a new style of policing, police and criminal evidence and maybe a review of justice to make it more efficient and

modern, and I am certainly supportive of that direction of travel, and that we can get to work on that. But as Deputy St Pier is now effectively head of the Treasury & Resources part of the mandate, maybe he and others on P&R can give us the resources in terms of people and budget that we would need to do that job as quickly as possible.

1320

The Deputy Bailiff: Does anybody else wish to speak?

In that case, I will turn to Deputy Leadbeater to reply.

Deputy Leadbeater: Thank you, Madam Deputy Bailiff.

1325

I thank Members for their contributions to this debate. Deputy Inder, I am fresh into this piece of work. In fact, I do remember this piece of work and this draft legislation being brought to the previous Committee that I was on in 2016-20. That shows how long ago this has been in the mix, but I will undertake to find out about spear guns, and I will get back to him with some further clarification.

1330

Deputy St Pier, yes, again, the Committee met once recently just for some housekeeping. We have not had a full Committee meeting yet to finalise our priorities so I would not like to pre-empt. I know what my priorities are going to be and they include some of the points that Deputy St Pier raised, but I will have to discuss that and get some confirmation from the remainder of the Committee, and I will certainly feed that back.

1335

I thank Deputy Gollop for the information that he has provided to the Assembly and I commend this legislation to the Assembly and I would ask everybody to support it.

Thank you, ma'am.

The Deputy Bailiff: Thank you.

1340

Members, you should have before you on your screens the Proposition. I will ask the States' Greffier to open the voting, please. Could you close the voting, please?

There was a recorded vote.

1345

Carried – Pour 34, Contre 1, Ne vote pas 2, Did not vote 2, Absent 2

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Goy, David	Inder, Neil	Curgenven, Rob	Kay-Mouat, Bruno
Burford, Yvonne		St Pier, Gavin	McKenna, Liam	
Bury, Tina				
Cameron, Andy				
Camp, Haley				
Collins, Garry				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Tocq, Jonathan				
Leadbeater, Marc				
Malik, Munazza				
Matthews, Aidan				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				

Parkinson, Charles
Rochester, Sally
Rylatt, Tom
Sloan, Andy
Snowdon, Alexander
Strachan, Jennifer
Van Katwyk, Lee
Vermeulen, Simon
Williams, Steve

1350 **The Deputy Bailiff:** There voted pour 34, contre 1, there were 2 abstentions and 2 Members were not in the Chamber at the time of the vote. I therefore declare that the Proposition has been passed.

**Election of Deputy Chairman –
Former Deputy AI Brouard elected**

1355 **The Deputy Bailiff:** Just before I turn to Deputy Leadbeater to lead on the Proposition, I will confirm that former Deputy AI Brouard received 35 votes to elect him to the position of Deputy Chairman of the Panel of Members and there were 2 blank papers. So I pass on my congratulations to Mr Brouard for his election and I hope he enjoys it. *(Laughter)*
States' Greffier, do you want to read out the next item?

COMMITTEE FOR HOME AFFAIRS

**3. The Criminal Justice (Cybercrime and Miscellaneous Amendments) (Bailiwick of Guernsey) Law 2025 –
Proposition Carried**

Article 3.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled 'The Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) (Amendment) Ordinance, 2025' and to direct that the same shall have effect as an Ordinance of the States.

1360 **The States' Greffier:** Article 3, Committee for Home Affairs – The Criminal Justice (Cybercrime and Miscellaneous Amendments) (Bailiwick of Guernsey) Law 2025.

The Deputy Bailiff: Deputy Leadbeater.

1365 **Deputy Leadbeater:** Thank you, Madam Deputy Bailiff.

1370 This Projet was approved by the former Committee for Home Affairs and lodged last term. It is a technical piece of legislation covering off the remaining provisions in respect of a financial crime-related policy letter from the 2021 legislation relating to financial crime and related matters which related to the work preparing for Moneyval. The other resolutions from that policy letter have already been discharged.

By way of background, this policy letter recommends various amendments to the Bailiwick's Criminal Justice Framework for addressing financial crime. That policy letter set out a number of technical amendments which were necessary around matters relating to money laundering, terrorist

financing, cybercrime, reporting of suspicion, disclosure of information, the provision of international assistance and obtaining information about previous convictions.

In that policy letter, His Majesty's Comptroller provided advice in respect of how those matters might be addressed. In summary, as set out in the memorandum, this Projet amends the Computer Misuse Law and the 2003 Regulation of Investigatory Powers Law, aka RIPL. The Law will only be commenced in due course by regulations made by the Committee following Royal Assent and the registration of the Law in Guernsey. The specific amendments are detailed in the explanatory memorandum to the Projet and are as follows.

The main amendment made to the 1991 Law is the substitution of a new section 3 and the insertion of a new section 3A. New section 3 introduces recklessness into the current offence and expands the offence so as to cover acts that enable the impairing of the operation of a computer, etc., as well as the principal act itself. The maximum penalty on conviction of the offence at section 3 is increased from five to 10 years.

New section 3A introduces offences of making, supplying or obtaining articles for use in the commission of offences under clauses 1 and 3. There are minor consequential amendments to sections 1, 5 and 13, and an outdated provision in respect of extradition is repealed, and a largely consequential amendment to the provision in respect of the meaning of 'unauthorised'. In addition, the maximum penalty for the offence at section 1 (unauthorised access to computer material) is increased from six months' imprisonment and a level 5 fine to two years' imprisonment and an unlimited fine.

The amendment to RIPL inserts a new section 19A, which creates an offence of unauthorised disclosure by a postal or telecommunications operator of various matters relating to a notice imposed on such an operator. On conviction of the offence under section 19A, a person is liable to a maximum of 5 years' imprisonment or an unlimited fine. There are various specified defences, including in respect of disclosure to a professional legal adviser for specified purposes.

This legislation closes gaps that exist in the Bailiwick's anti-cybercrime legislative regime. The amendments simply bring Guernsey in line with the UK and Jersey and are consistent with the key objectives in the States' Digital Strategy relating to cybercrime. However, with the support of the Law Officers, I have been monitoring the concerns raised by Members and I am assured that nothing has been raised which would merit the Committee laying a motion to withdraw the legislation.

Members should be assured that the Law has to be brought into force by regulations made by the Committee, clause 4 of the Projet, and I would encourage Members who have concerns to share them with us. I provide a commitment on behalf of the Committee to circulate an update to the Assembly detailing what this Law does and what it does not do and addressing those concerns before the Committee considers any regulations which will bring the Law into force.

As part of this, we would engage with Economic Development to explore whether the benefits of the protection provided by the legislation are outweighed by the drag on legitimate economic opportunities. So with the confirmation of a period of reflection, as I have committed to in order to provide assurance to Members in respect of any concerns they may raise, I commend this legislation to the Assembly.

The Deputy Bailiff: Who wishes to speak?

Deputy Inder.

Deputy Inder: I think Members need to realise one Member mentioned that we spent £1.5 million on Moneyval last term. We did not. It was over £40 million and it was so important to the Island, it was on the front page of the press on the day where Economic Development was working very hard. The former Home team delivered something like 88 pieces of legislation between the two main Committees including Policy & Resources. That was fairly substantial. We spent an awful lot of time on our most important industry, which is the financial sector.

Deputy Leadbeater, in his opener, said that this formed part of the Moneyval piece, so I would have great concerns if this was rejected today. In short, I am assured by Deputy Leadbeater's

opening speech that he will give this some consideration and he will work again with Economic Development to ensure the regulations are not too onerous and so, hopefully, this will be a short debate. I doubt it will be but I will be again supporting this piece of legislation.

1430 **The Deputy Bailiff:** Deputy Goy for your maiden speech.

Deputy Goy: Thank you, madam.

As an IT engineer, it is my professional opinion that the amendment is overly broad and very likely to cause harmful, unjust and unintended consequences in a real world IT situation if it becomes Law. Technology and its usage by society has changed drastically since the original Law was introduced in 1991.

1435 Not only is the original Law unfit for purpose in 2025 and beyond, the amendment proposed would further unnecessarily broaden its scope and make it even more onerous and more susceptible to abuse by malicious accusers. The clause pertaining to recklessness is particularly concerning. How does one define what 'reckless' means in this context? Is it simply the dictionary meaning of the word? If so, then I am afraid that is not appropriate for this context.

1440 Perfectly reasonable action taken by an IT professional who knows what they are doing could easily be interpreted as so-called 'reckless' by those who did not understand the technicalities of the action and systems involved, not to mention the acts listed such as 'impair' the operation of any computer as ridiculously broad and can be interpreted in so many ways to mean anything that a malicious accuser wants it to mean. Of course, all of this is on top of any other negative impact that the Law and amendment would cause such as hampering the innovation and growth of web technologies and AI.

1445 In summary, the entire amendment needs to be redrafted. I would go so far as to say that the original Law should be replaced by a more contemporary version and any future loss and amendments on cybercrime should be drafted in consultation with IT professionals who have the necessary technical understanding to factor in the potential risk and consequences such a Law could cause in the real world in 2025 and beyond. So I urge my fellow colleagues in the Assembly to vote against the amendment.

1450 Thank you.

The Deputy Bailiff: Thank you.
Deputy Kazantseva-Miller.

1460 **Deputy Kazantseva-Miller:** Madam, I just wanted to rise as President of the Committee *for* Economic Development. First of all, I am grateful for the concerns raised and shared by a number of Deputies, Deputy Blin and others, who have been actively trying to also share concerns displayed by some of the businesses and IT professionals in the industry, so we have elevated them and the Committee *for* Home Affairs have received those concerns as well.

1465 I am assured of the approach they are proposing to take, which is that they will be reviewing them in detail and that, from what they have seen so far, there is not a cause to delay or withdraw the proposals today. I am assured that there will be detailed consultation with the Committee *for* Economic Development and others in terms of bringing the regulation that will come under this legislation.

1470 I have been assured by the approach Deputy Leadbeater and the Committee are willing to take but I am grateful for the concerns raised. Obviously, we are inheriting this issue, so there has not been perhaps time to look into it in detail, but we will be looking into it with the Committee *for* Home Affairs.

Thank you.

1475 **The Deputy Bailiff:** Deputy Matthews.

Deputy Matthews: Thank you, ma'am.

1480 I am, as Deputy Goy, inclined to vote against this Proposition unless the President of Home Affairs can provide me with some assurance that the issues that have been brought to my attention as well as the potential unintended consequences to the change to the Law could be addressed.

1485 Madam, in an email, His Majesty's Comptroller noted that the wording of sections 1, 2 and 3 of the Computer Misuse Law 1991 – that is our Law – when amended by the 2025 Law, will be more or less identical to the wording of sections 1, 2 and 3 of the UK Computer Misuse Act of 1990. Now therein, I suggest, is where the issue lies. Quoting from *Computer Weekly* magazine, this is a piece of legislation in the UK that is causing issues within the UK, and think the cybersecurity issue, and I will just quote briefly from a recent article there where it says:

Britain's outdated hacking laws are leaving the UK cyber practitioners hamstrung and afraid. Security professional Simon Whittaker reveals how he nearly ran foul of the Computer Misuse Act.

1490 And a later article goes on to say:

An amendment to the proposed Data (Access and Use) Bill – that is a UK Bill – led by Conservative peer Lord Holmes and Liberal Democratic peer Lord Clement-Jones will override the outdated aspect of the Computer Misuse Act that inadvertently criminalised good faith legitimate security activities.

1495 So I would suggest to the President of Home Affairs that, if he was wanting to win my support for this Bill, he would go through it in detail and review the amendments that have been proposed in the House of Commons to similar legislation to try and update the Computer Misuse Act because, currently, there is legislation that is in ping pong between the House of Commons and the House of Lords, and apply that to this before it is brought into Law by regulation.

Thank you, ma'am.

1500 **The Deputy Bailiff:** Thank you.
Deputy Sloan.

1505 **Deputy Sloan:** Madam, to echo sentiments by Deputy Matthews, I had been minded this morning to lay a sursis motiv   – if that is the correct pronunciation – and was persuaded not to because it was explained to me by the Greffier that we could require on request the reassurances by Deputy Leadbeater. The reason that I had been originally, and still was, mindful to lay that sursis was on the basis of the communications that had been previously circulated and the exchange of communications with the Comptroller.

1510 I also agree with Deputy Goy that some of this legislation is quite old and it is outdated, and the concerns for the competitiveness of the jurisdiction by any unintended consequences were paramount in my mind. Personally, I do not like giving up constitutional autonomy implicit in the extradition requirements that could be made. I believe that we have constitutional autonomy for a reason, and I also was sympathetic to the arguments that ChatGPT was not even created or launched when this Law was amended in 2021, and therefore did not take into account the effects of ChatGPT.

1515 Finally, I did not like the telling arguments that it was the same wording as the UK and the Crown Dependencies so therefore it was okay because, if that was the telling argument, I would probably use ChatGPT to amend all my Laws in the future albeit probably breaking this one or possibly. So having communicated that to Deputy Leadbeater this morning, he gave those reassurances that he has just communicated.

1520 I would be mindful if he would just remind us that he will be prepared to, before the legislation was enacted, change it by amendment to address any concerns after discussion or consultation with the Committees. The Legislation Review Panel is meeting on 4th August and will happily add that to its agenda. Again, I would still be minded to lay the sursis because, for me, it is a point of principle that I would rather get the legislation or the regulations correct first rather than having to amend it

1525 in review and that, to me, is an important point. On the principle, I do not see the point. What is the rush in doing this today?

Deputy Leadbeater made the point that it was an issue of trust in the President to ensure that he was good to his word and, in that, I do trust Deputy Leadbeater in that collaborative spirit. I think it is important therefore to go along with his promise to address these issues via consultation with the rest of us Members and, in that respect, while my heart probably would like to vote against the motion, my head will vote for it on the basis of those promises.

So, thank you, madam.

The Deputy Bailiff: Thank you.

1535 Deputy Blin.

Deputy Blin: Thank you, ma'am.

I would like to start by saying that this is our first main Assembly and this legislation is coming through at short notice for a lot of the new Members. I think a lot of our focus was in the Reform and we were looking at those aspects there. So it was good as well the way that Members have worked together with a number of discussions, whether it be a sursis motivé or, as I myself made, various requests to the President of Home Affairs to ask if it could be delayed, and we went through all the options.

I suppose the point I would like to say, and also confirm how I will vote, is these are all significant changes to the legal framework and governing computer misuse and the surveillance powers available. I am going to reduce things down because they were going to be in more detail before, bearing in mind it was targeting specific areas, but we have to take into account that this was passed several years ago. We will take into account also what Deputy Sloan just mentioned that this was one year prior to the existence of ChatGPT.

1545 Just for a little bit of context and example, I, like Deputy Matthews, looked at some examples of misuse Law and how closely it mirrors the UK Computer Misuse Act and it has already been described several times as unfit for purpose. So my concern is that the proposed increases, and including the sentencing for unauthorised access under this legislation, may inadvertently worsen some of the deficiencies already present in the framework.

1555 There was a lot of reference to website scarping, and I just want to bring this point up. The automated extraction of data from websites in a machinery readable format is something common in our language, especially since the widespread and well-established use of AI, and for developers and researchers.

1560 So it is more important than ever to underpin much of this innovation that drives our economy, and the economy is a key part, and it was mentioned in Deputy Kazantseva-Miller's speech on economic development. These are things we have to take into account seriously and although, with the UK, we are matching some of these things, the speed in which this is all changing needs to be inline.

1565 So if I were to ask ChatGPT to find out about membership of the Royal Guernsey Golf Club and elect to use a live search tool, the system might retrieve that information by scraping the content from the club's website. But that website clearly states in its terms and conditions you must not conduct any systematic or automated data collection and therefore, in legal terms, this could well constitute unauthorised access and that change of Law from the six months increasing upwards could have an impact on extradition.

1570 I do not want to elaborate too much further because I want to come back to the other main points of this. I do have strong support. A lot of the rest of this Law is essential and it is well needed so really this was about just the areas which we feel were not correct or appropriate for now. So I just wanted to state to the Assembly, and also for the benefit of the President of Home Affairs, that we have looked at it. I was very appreciative of the conversations there.

1575 Through the Greffe, we have the information if this is passed today, and bearing in mind there was talk of sursis motivé or sursis:

If it comes into force, this Law shall come into force on the day appointed for this purpose by regulations made the Committee *for* Home Affairs and different dates may be appointed for different provisions of a different purpose.

And then also (2):

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Regulations under (1) shall be laid before a meeting of the States as soon as possible after being made and if, at that or the next meeting, the States resolves that the regulations be annulled, then they shall cease to have effect.

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What Deputy Leadbeater has assured myself and other Members, and given the fact it has been so early on in the term of the President, he will have the chance to review it and look at the situation there to identify whether these are correct or not. It has to be investigated but, at that point, then it can be brought back and at that point, there would be an opportunity for the States' Assembly to annul or look at it. So I think this is a fair way of doing things and I will therefore be supporting this going forward.

Thank you.

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The Deputy Bailiff: Thank you.

1595

Just before I return to Deputy Laine, can I ask everybody to put their phones on silent? There has been pinging both yesterday and today, so please be careful, and the other aspect I should mention, just for those who are new to this, is that Deputy Blin took a risk that nobody is going to say that he was sitting down. If you sit down during your speech, there is a risk that it is deemed that you have now finished, so just be careful of doing that. Perhaps lift your screen to your face rather than your face to the screen.

Deputy Laine.

1600

Deputy Laine: Thank you, madam.

1605

I share Deputy Blin's concerns and, at the same time, recognise the broader and vital aspects of this Bill and I am minded to trust in the judgement of Home Affairs with regard to these unintended consequences. In conversation with Members, the President kindly undertook to revisit some of the issues that have been raised and subject to any agreement to not sign or to amend the Law accordingly. Of course, the reality is that the Home Department does not have the power, as I understand it, to amend the Law and if the Law was amended they would in fact have to bring it back to the States.

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I think the optics are clear on here, or the optics could be damaging for Guernsey in terms of if we are seen to be bringing in a draconian Law. So the undertaking from the Home Department, that they are going to consult with Committee *for* Economic Development and are going to do some proper work on this to ensure that we do not have any draconian measures is really welcome and means that I can support this.

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I think it is important to say, from my knowledge, that the States actually consumes data right now and pays for it, that is collected in this way. There are local companies that do this. I have got an example that goes back a few years, to perhaps give Members a view on these unintended consequences. Several years ago, a member of our community was screen-scraping data from the Airport departures and arrivals screen. We can all go online and look at departures and arrivals; does not seem very contentious. This computer expert then used that data that he was monitoring on a 24/7 basis to then create stats on the timekeeping of airlines, in particular a certain Guernsey-owned airline.

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My understanding is that potentially would be breaking the Law if he did it today. You might scoff at that and say, 'What does it matter?' Well, what it matters is a very senior civil servant at the time significantly castigated that individual, not for accessing the data but for publicising the arrivals/departures poor timekeeping, etc. Given these powers, you can absolutely see that a complaint could be raised in a similar circumstance that perhaps ordinary members of the public would not support. It seems to me that was an appropriate use of the data.

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I think it is important that we understand that the Home Department are going to do some work with ED here and are fully going to address these measures. I have faith in the Home Department to carry that out to our satisfaction.

Thank you.

The Deputy Bailiff: Deputy Vermeulen.

Deputy Vermeulen: That was an excellent speech by Deputy Laine there. You should have faith in the Home Department, both this one and the one previous, which I sat on and still sit on today. This legislation was not designed on the back of a cigarette packet. It was given all the proper due diligence and advice from St James' Chambers, His Majesty's Comptrollers also advised on this. We also had a non-voting member on Home, who is an advocate, review the legislation absolutely thoroughly. We have got cybersecurity Laws, which we have got to get up to speed with; we have fallen behind.

It does not seem to create a problem in Jersey or in the UK. Admittedly, Laws can be changed and updated as needed. But at the moment we are significantly behind the curve on that. It is pretty important that we get up to speed with it. This legislation will close the gaps that exist in the Bailiwick's anti-cybercrime legislation. HMC has provided advice on that policy letter. The amendments simply bring Guernsey into line with the UK and Jersey and are consistent with key objectives in the States' Digital Strategy, relating to cybersecurity.

I think that is the work that Home has done and that is the legislation. You have the Legislation Review Panel that also looks at legislation before it is laid before the States. It would have passed through all those hoops on its way to you, so I think you can relax and support this with the knowledge that due diligence has been properly done. If there are any changes that need to be made in the future that needs to be conveyed to our President on the Home Committee. I urge you all to support it.

Thank you.

The Deputy Bailiff: Deputy Burford.

Deputy Burford: Thank you, madam.

Just briefly, I am brought to my feet, as I often am, when people talk about having faith in a Committee. It is simply, in my view, not a case of having faith or not having faith. It is not an issue of faith. It is rather an issue of scrutiny by the Members of this Assembly of work that the Committee brings before the States. I am really pleased to see a lot of that seems to be going on today, so that is indeed very encouraging.

I do not know anything about IT in any great detail enough to provide that scrutiny, but I have been very interested to hear from other Members who do. I think the way this legislation is going, it would either be for a sursis or to approve it with the assurances that have been given from the President, as I think simply voting against it would be counterproductive. So I will actually be supporting this, as I am satisfied with the assurances that have been given from the President of the Home Department.

Thank you.

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Yes, I endorse, actually, what Deputy Burford has said, although I would like people to have faith in the Home Committee and me, but never mind. It is about scrutiny of all Members. It is also about the role of Scrutiny. Deputy Sloan has got off to a good start. You have got a panel, the former panel, Legislative Review, which I have sat on in the past. Of course, their role is, to a degree, limited. Although I think the leader of it, John Dyke, did extend the role to a degree to some quite robust questioning and some elements of Moneyval-type legislation.

But the point is, is the role of that Committee sadly is not as much as it could be to actually analyse the sense of legislation. Yes, it will look at cogency, it will look at printing, it will look at the spirit, it will look at conformity, but sometimes our legislation does need a rethink. As Deputy Matthews and Deputy Blin and others indicated, they can fall behind the times. To me, being a non-expert in this area, and indeed all matters IT, I press the wrong button and things disappear or appear, that can be bad too, (*Laughter*) but the problems with this issue is it is highly technical.

We have had some interesting letters in the last 24, 48 hours. We could have done with them earlier. One issue that was raised, which has not come up so far, is the apparent anomaly that a health or other professional could be complying with the Law if they use paper records in an emergency, but not if they use digital records to access without normal authorisation. That area, which is cross-Committee, is something I want to know more about.

I think Deputy Inder and Deputy Laine, in different ways, both senior parliamentarians, have actually contrasted the issue on both sides of the debate. Deputy Inder's point is we have to comply for our most important income generator or economic export earner to the finance sector and be not just in the bag, but on top of the game. So the promises were made; work has been done, at a cost, and this has been part of it, and it has been scrutinised by the previous Home Department. That is one argument.

The other argument of Deputy Laine, which is equally sound, is that we do not want to fall behind with blockages to maximising our technological and economic potential and weaken in any way our offer to digital nomads to entrepreneurs, to innovation by clunky legislation. I think working jointly with Economic Development is essential. A little bit of me was tempted to say: postpone this, kick the can down the road. I think we should vote for this legislation today. Listen to the assurances of all of us at Home that we will look at it, we will get advice from stakeholders, from technical people, obviously legal advice and others.

I know Deputy Vermeulen has been through this before but perhaps things have already changed. Technology changes every week. So I welcome the opportunity to sit down and ensure that we have the definitions right. I think some of this is about definitions, some of it is about practical implementation, and some of it is about reassurance of the tech sector. Let us get on with approving this today and carry on with the work.

The Deputy Bailiff: Thank you. Does anybody else wish to speak in this debate?

Deputy St Pier.

Deputy St Pier: Briefly, madam, I agree with Deputy Burford that it is not a matter of an article or a matter of faith. Deputy Vermeulen's point is sound, and that this current Committee and indeed its predecessor have looked at this. But, of course, none of the members of the Committee are experts in this area, and indeed the non-voting member in the last States was not either, even if that individual had legal experience. I think the concerns expressed in this debate by Deputies Matthew, Goy and Laine, as Members of this States of Deliberation who have experience in this area, should rightly be of interest and concern to the rest of us who do not have the knowledge and experience in this area.

Clearly the undertaking given by the President of the Committee *for* Home Affairs is welcome and it seems a pragmatic response. Nonetheless, I think the signal clearly being sent by this Assembly today will be the approval of the legislation. Even though it will not commence until the Regulations return, nonetheless the messaging to the outside world will be clear. I think, as acknowledged by Deputy Kazantseva-Miller, as the President *for* the Committee *for* Economic Development, I think there is a need to move at some pace to undertake this review, not least because of the pace of development of this area of technology.

I am quite sure the President is going to reiterate the undertakings he has given, but I think it would be useful to affirm that the intention is to do this quickly. It is not something that can be allowed to drift, because of the risk of the signalling which Deputy Laine referred to when he spoke. I would be grateful if the President could address that.

1730 Thank you.

The Deputy Bailiff: Thank you.

If no one else wishes to speak, I will turn to Deputy Leadbeater to reply on behalf of the Home Affairs Committee.

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Deputy Leadbeater: Thank you, madam.

Thank you to everybody for their contributions, through you, madam. It has been a bit of a baptism of fire for my first couple of Propositions (*Laughter*) that I am leading on for Home Affairs. But it has been really enjoyable and I have really enjoyed the engagement from Members, madam; I really have. It has all been very constructive, we are all trying to achieve the same outcome: we want to ensure that the legislation that we propose and that we put forward and we enact is fit for purpose. So I really thank everybody for their contributions, it has been really appreciated.

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Deputy Inder, thank you his support. He refers to this being part of the Moneyval and the importance of that. This was not one of the big crunchy bits that we needed at the start, but it is still important and still has to be done, so I thank him for advising Members of that.

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Deputy Goy, he spoke about the definition of recklessness. That is something we have discussed certainly, and we will get clarification on. This will come from the Law Officers, clearly.

Deputy Kazantseva-Miller, I thank her for putting the trust in me and my Committee, because we have clearly demonstrated that we are prepared to engage with her Committee to make sure that all their assurances are covered off before any regulations are signed.

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Deputy Matthews, again, the amendments in the House of Lords, all of these things that will be considered in the round, everything – this is why I have invited Members to share all of the concerns they may have or any information that might be helpful to the officers of the Committee *for* Home Affairs when they are putting a paper together for distribution to all Members.

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The same with Deputy Sloan, he talks about ChatGPT, for example, not being around at the time. But technology evolves so quickly. By the time this has gone through the mix and received Royal Assent, there could be another version of an AI tool which has come out to do something completely different. I thank Deputy Sloan for the conversations that I had with him prior to the debate. The same goes for Deputy Blin. Deputy Blin has always been somebody that has approached Members if he has some concerns, rather than just trying to work against them to try and work with them. I thank him for that; I really do.

1760

As Deputy Blin points out, this is short notice for Members and that is why this has come quite late, because it is quite late notice for me too, to be honest. (*Laughter*) We are all in the same boat here.

1765

Deputy Laine talks of the unintended consequences. They will be fully explored. I can give him that guarantee; any unintended consequences will be fully explored.

Deputy Vermeulen, I thank him for rising and giving the perspective of the former Committee as well, which clearly I had no part in. I thank him for his continued support as a member of the new Committee.

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Deputy Burford, I thank her for her contribution. I think we did discuss briefly if a sursis was going to be a better idea, but I think reading the room and reading the fact that Members have got behind the Committee's proposal that it developed in association with the Law Officers that we would undertake not to sign any Regulations until we have squared these circles.

Deputy Gollop, I thank him for his contribution too. Deputy Gollop was previous Member of the LRP, a new member of the Home Affairs Committee and somebody that has legislation flowing through is veins. It is really good to have somebody like Deputy Gollop and his experience working with us on the Committee.

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Deputy St Pier, he is right, nobody on the previous or the new Committee has got IT experience whatsoever and we do rely on professionals for that. He talks about the pace of this review that I am proposing in between the legislation being passed, going for Royal Assent, and then the

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regulations being signed with the requirement for that to be done at some pace. It will be done in early course. I can give him that assurance, it will be done in as fast a time as is practically possible.

Thank you to everybody, through you, madam, that has contributed to this debate. I would advise everybody to support this legislation and we can crack on with the process as I outlined during my speech.

Thank you very much.

The Deputy Bailiff: Thank you, Deputy Leadbeater.

Members, you should now have on your screens the Proposition. I would ask the States' Greffier to open the voting. Would you close the voting, please?

There was a recorded vote.

Carried – Pour 33, Contre 1, Ne vote pas 3, Did not vote 2, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Goy, David	Matthews, Aidan	Curgenven, Rob	Kay-Mouat, Bruno
Burford, Yvonne		Ozanne, Jayne	McKenna, Liam	
Bury, Tina		St Pier, Gavin		
Cameron, Andy				
Camp, Haley				
Collins, Garry				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Tocq, Jonathan				
Leadbeater, Marc				
Malik, Munazza				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Parkinson, Charles				
Rochester, Sally				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
Strachan, Jennifer				
Van Katwyk, Lee				
Vermeulen, Simon				
Williams, Williams				

The Deputy Bailiff: In relation to the Proposition, there voted pour 33, 1 contre, there were 3 abstentions and 2 Members were not in the Chamber at the time of the vote. I therefore declare that the Proposition has been passed.

Farewell to Robert Titterington KC (HM Comptroller)

1800 **The Deputy Bailiff:** Members, it is my sad privilege now on behalf of you all bid farewell to the outgoing Comptroller, Robert Titterington KC, whose last day in the States it is today, although he does not actually retire until late August.

1805 Having graduated from Leeds University, Mr Titterington started his career as a solicitor in the Manchester area, his city of birth. In 1988, he moved to the Falkland Islands to be Crown counsel, from where he practised law and provided legal advice to the Government of the Falklands Island and South Georgia and the South Sandwich Islands. I know he still remembers those times and those places with much fondness.

1810 He moved to Guernsey in 2000 to take up a position first as Legislative Draftsman and then as an advocate with the Law Officers. He became Director of Legislative Drafting in 2005 and was appointed as a deputy judge of the Magistrate's Court in 2012. In October 2016, he was appointed as Her Majesty's Comptroller and, by virtue of the role, was appointed what was then Queen's Counsel, now King's Counsel, and simultaneously became Her Majesty's Deputy Receiver General. As a Law Officer, he therefore became a Member of this Assembly and also of the States of Election.

1815 Sir Richard Collas, Sir Richard McMahon and I have all greatly appreciated your clear and helpful advice during and about the proceedings of meetings of the States, whether of Deliberation or of Election during those nine years; a period during which you have probably drafted more requêtes and more amendments than you may wish to remember. You should have particular pride for the largely unsung work you undertook working with His Majesty's Procureur as a consequence first of
1820 Brexit and then of COVID, ensuring that these Islands were able to function and flourish when outside forces required the Law Officers to provide complex, accurate and novel advice at great speed and under great pressure.

1825 Mr Titterington – Robert – I am sure that by stepping back from your role, you will have more time to spend with your family and I suspect to pursue your sporting interests, in particular football, in an observer capacity, but also golf, of which I am also a widow, and cricket. We all wish you a very long, very happy, and very healthy and well-deserved retirement and wish you and your wife, Lesley, all the very best for the future.

1830 I will now turn to Deputy Gollop, as Father of the House, also to say a few words.

1830 **Deputy Gollop:** Thank you.

1835 The Deputy Bailiff has put indeed some of the points that I would remember. I know not only will we miss you, His Majesty's Comptroller, Robert Titterington KC, but also your family have very much been a part of public life in Guernsey as well, which we very much salute. I became aware of your interesting career in the Falklands and I wondered if your patience with penguins has helped you in any way with managing us. I have seen His Majesty's Comptroller in a number of guises relating to the sursis, requêtes and amendments and he has been particularly patient to persons like me, in a very different manner from his distinguished learned predecessor, the late Howard Roberts.

1840 He has always given me and all of us invaluable help and support. I have known him in other contexts as well. In my sojourn on Policy & Resources, he was a regular attendee and he invariably avoided political controversy, which was not easy on that Committee at times. I know he, perhaps not just because of his role and distinction but in his former role in the Falklands, he will take up the challenge of smaller islands, because it should be remembered that he does not just represent Guernsey's interests and the Crown's interests, but also the interests of Sark and Alderney. I think that has been a very useful dimension. He has been very much friendly to Members and
1845 accommodating us.

1845 One more amusing anecdote is the Deputy Bailiff has referred to an interest in football and, indeed I have seen Mr Titterington, His Majesty's Comptroller, at the terraces, but he has actually played with Deputies. When our former Chief Minister, Deputy Trott, was slightly younger, he

1850 organised a football team. Maybe we can go back to that and it should, of course, be mixed. In fact, we did play a mixed-gender media team and cricket as well.

But I remember very well that we really relied on His Majesty's Comptroller, and also when he was Director of Legislation – of course, we worked together on that for many years when I was President and Vice-President of the old Legislation Select Committee. But we really relied on the
1855 sporting prowess and skills of His Majesty's Comptroller to ensure that we did not score own goals, but we actually accommodated ourselves – the media usually won, but I think they always would have won by a huge landslide without the help – we had to bring in ringers from St James' Chambers (*Laughter*), but that just proves the point.

I do wish him well in retirement. I suspect, from conversations we have had, not only will he be
1860 active in the community and in sport, but will probably do a lot of travel, representing us, as he always does, as an ambassador.

The Deputy Bailiff: Thank you.

Alderney Representative Snowdon has also to say a few words.

1865 **Alderney Representative Snowdon:** Thank you very much.

Just on behalf of the States of Alderney, the President of the States of Alderney, the Members and our civil servants, we really want to say thank you. You have really helped us over a number of years on very complex issues. You have always taken the time to come and see us work through
1870 those complex issues and give us advice. Maybe we do not want to hear it, but it was sound advice that you were giving us. You have really been a credit to us and we will miss you quite dearly supporting us. However, we look forward to welcoming you on holiday in your retirement into Alderney.

Thank you very much.

1875 **The Deputy Bailiff:** Thank you.

Deputy Gollop: I forgot to mention, have a happy holiday to everybody here, including you and your family.

1880 **The Deputy Bailiff:** Thank you very much.

Rather than asking you for advice, Mr Comptroller, would you like to say a few words?

The Comptroller: Madam, thank you.

I would. May I first of all, thank you and Deputy Gollop and Alderney Representative Snowdon
1885 for those very kind words, and I am very touched by them. I am grateful for having this opportunity on this, my final States' Meeting, while holder of the office of HM Comptroller to say these few words. This is an auspicious day for me, at least, not only because it is the last day upon which I will be attending a States' Meeting as a Law Officer of the Crown, but also because as from midnight
1890 from tonight I will have worked as a States' employee, and latterly as HMC, for some 25 years in Guernsey.

The phrase 'a week is a long time in politics' is attributed, I believe, to Harold Wilson. He said that in the mid-1960s. It has remained largely a truism insofar as political affairs are concerned. In my own case, I have held the office of HMC since October 2016 and it certainly seems to have been
1895 a long time now since the first meeting of the States that I attended as such on 12th October that year. Quite by chance, while I was clearing out some old papers from my room at St James' Chambers earlier this week, I came across the Billet d'État for that meeting, which included as the main item of business 'Approval of the Island Development Plan'.

Among the papers I also found copies of the 33 amendments to the relevant Propositions that
1900 were proposed during the course of that October 2016 meeting. I think there were adjournments as well. (*Laughter*) I seem to recall that I was responsible for drafting or commenting on drafts on

all of the amendments and for maintaining a composite draft of the Propositions as successfully amended. That was in the days before we had a States' Greffier who now does that job. It was quite some baptism of fire for me as a new Law Officer.

1905 Having quickly looked at the names of all those who proposed or seconded amendments at that meeting, I think there are only Deputies de Sausmarez, St Pier and Gollop, who are still Members of the Assembly. That, I think, is a testament to how quickly over time things change in politics. Fast forward to today and I realise that I have been fortunate to serve in the office I currently hold. It has been a great honour, a privilege, to do so during a period which has turned out to be of significance

1910 in terms of firsts and changes.

In terms of firsts, a woman has presided as Presiding Officer of the States and a woman was elected to the office of President of the Policy & Resources Committee. In addition, for a period during the COVID pandemic, the States met at St James and it was also possible for Members to attend remotely. In terms of changes, the States acquired a dedicated States' Greffier. Electronic

1915 voting was introduced. The Rules of Procedure were changed in order to limit the duration of Members' speeches. I hesitate at this point to express a view as to which of these far-reaching changes has proven to be the most successful and most welcome. I am sure I have missed other firsts and changes that occurred during my time working in the States.

Rather than look back at things, I prefer to concentrate on the present and offer a few thanks before closing to those I have worked with in the States and those who support the States. Firstly, I would like to thank all past and present Law Officers and members of their staff that I have worked with at St James' Chambers. I have been fortunate to have worked with some very able lawyers and support staff over the last 25 years. As well as benefiting from their expertise and support, equally

1920 rewarding for me has been the camaraderie and the friendships I have made.

1925 Departing from my script, I would just mention Howard Roberts, who is a great friend of mine, a great guidance, and I recalled this morning, in fact, I arrived in Guernsey together with my family on 10th July 2000. We had a very rough crossing on the boat. We arrived with about 18 pieces of luggage, because I had been in the Falkland Islands and most of our possessions were crated over to the dock at Stanley. I did wonder if I would ever see them again. (*Laughter*) I did actually, but that

1930 is another story. So we had a lot of possessions on the boat. Howard had actually taken the time to come down and pick me up – pick us up.

I remember him standing there looking at us, the two children and the 18 large pieces of luggage that had come with us, but he very kindly arranged transport for us and we were transported to our new home in Guernsey.

1935 The second thanks I would offer would be to the members of the civic and public service that I have worked with, both in Guernsey and the other Islands of the Bailiwick. I never cease to be amazed by the depth of talent and dedication that there is among the Civil Service and the wider public service. I am grateful to them for their support, assistance and friendship over the years.

1940 Thirdly, I would like to pass on my grateful thanks to presiding officers past and present, to the States' Greffier, his staff and their predecessors and His Majesty's Sherriff and his officers. It has been a pleasure to work with them during my term of office.

1945 Finally, I offer thanks to the Members of the States of Deliberation, both present and past, with whom I have worked and shared the unique experience of membership of this Assembly. If I have one regret, it is that I shall not have the opportunity to work with current Members for a little bit longer than the period of just a few weeks, that expires on 21st August, which will be my last day in office.

On the plus side of that, for you, the sooner you will be fortunate enough to work with my successor, to whom I wish every success. I wish you all every success with the difficult work of Government you face going forward. Good luck to you. That is enough from me.

1950 Thank you. (*Applause*)

The Deputy Bailiff: States' Greffier, next item of business.

POLICY & RESOURCES COMMITTEE

**4. Schedule for Future States' Business –
Proposition carried**

Article 4.

The States are asked to decide:-

Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 3rd September 2025, they are of the opinion to approve the Schedule.

1955 **The States' Greffier:** Article 4, Policy & Resources Committee – Schedule for future States' business.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

1960 It seems terribly mundane to follow a very moving tribute to His Majesty's Comptroller. I will just add my personal thanks to him for all his advice and support over the years. There is actually a card that States' Members have signed that I will make sure reaches him. On this far more mundane matter of the Schedule for future States' business, I would just note that by the nature, by virtue of where we are in the political term, it is very regulations heavy. That will change, obviously as we progress through the political term and we have slightly meatier items of business added to it, but for now it is what it is. It is one of those things that we have to approve before we can move on to – well, before we can leave actually. *(Laughter)* I do encourage Members to approve it, for that very reason.

1970 **The Deputy Bailiff:** If nobody wishes to speak in debate, I will ask the States' Greffier to open the voting on this Proposition.

There was a recorded vote.

1975 *Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 2, Absent 1*

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	None	None	Curgenven, Rob	Kay-Mouat, Bruno
Burford, Yvonne			McKenna, Liam	
Bury, Tina				
Cameron, Andy				
Camp, Haley				
Collins, Garry				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kazantseva-Miller, Sasha				
Laine, Marc				

Le Tocq, Jonathan
Leadbeater, Marc
Matthews, Aidan
Malik, Munazza
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rochester, Sally
Rylatt, Tom
Sloan, Andy
Snowdon, Alexander
St Pier, Gavin
Strachan, Jennifer
Van Katwyk, Lee
Vermeulen, Simon
Williams, Steve

The Deputy Bailiff: There voted pour 37 and 2 Members were not in the Chamber at the time of the vote. I therefore declare that the Proposition has passed.

1980 Well, Members, that was your first normal meeting, if it can be called that. Thank you very much to everyone for their contributions. Can I, through this medium, wish continued good fortune to those who are competing in the Island Games out in Orkney (**Several Members:** Hear, hear) and wish everybody a very good summer. See you in September.

States' Greffier, would you close the meeting, please?

1985

The Assembly adjourned at 12.18 p.m.